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The "Chesapeake-Leopard Affair": A Study of Its Effects upon the American People and Government

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THE "CHESAPEAKE-LEOPARD AFFAIR": A STUDY OF ITS EFFECTS UPON THE AMERICAN PEOPLE AND GOVERNMENT

by

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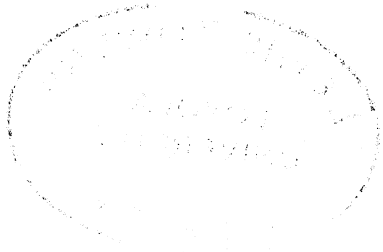

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Paul J. Lammermeier was born in Cleveland, Ohio on August 21, 1939.

After graduating from St. Ignatius High School, Cleveland, Ohio in June, 1957, he entered the Society of Jesus at Sacred Heart Novitiate, Milford, Ohio on August 8, 1957.

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Chapter I

BACKGROUND

On June 22, 1807 the British warship Leopard attacked an American frigate Chesapeake about ten miles off the coast of Cape Henry, Virginia. This hostile act of one warship upon another of a friendly power caused a furor in the United States which almost led to immediate war between the two nations. Such an isolated event which could arouse an entire people to voice "the only united expression of American patriotism between the XYZ disclosures and the Battle of New Orleans,"[1] and President Jefferson to exclaim that "this country has never been in such a state of excitment since the battle of Lexington,"[2] seems to merit further consideration than previously has been given. Most studies on the Chesapeake incident are limited insofar as they treat it either as the most flagrant example of the impressment controversy or as it affected Anglo-American relations. Little, however, other than a few sketchy accounts, has been written on the reaction of the American public to the attack.[3] Moreover,

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[1] Samuel E. Morison, The Life and Letters of Harrison Gray Otis (2 vols.; Boston: 1913), I, 259-260.

[2] Thomas Jefferson to James Bowdoin, July 10, 1807, The Writings of Thomas Jefferson, ed. Paul L. Ford (10 vols.; New York: 1892-1899), IX, 104-106.

[3] The most complete account of the whole episode is found

this leads to other questions regarding the effect of public sentiment upon the American government and its policy towards Great Britain. Was Jefferson's Administration placed in an embarrassing position or was it gratified with this demonstration of support of its policies? Did the government try to dampen public anger or did the Administration use it to extract valuable concessions from Great Britain?

These are some of the issues which will be treated in this study. After a brief account of the background of the impressment issue and the Chesapeake attack, we will present an account of the public reaction in various regions of the United States. Then we will turn to the government to see how it withstood the crisis.

In the year 1807 Great Britain and France were locked in a life-and-death struggle involving the total land and sea forces of both powers. This was more than a military campaign, however, since an equally desperate economic war was also being fought. Napoleon, seeing his attempts to subdue his rival

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in Henry Adams, A History of the United States During the Administrations of Jefferson and Madison (9 vols.; New York: 1889-1891), IV, 1-54. More recent studies are Bradford Perkins, Prologue to War (Berkeley, Calif.; 1963), 140-148; and Reginald Horsman, The Causes of the War of 1812 (Philadelphia: 1962), 101-109. An account of the Chesapeake attack set in the background of impressment can be found in James F. Zimmerman, Impressment of American Seamen (New York: 1925), 135-155. Anthony Steel, "More Light on the Chesapeake," Mariner's Mirror, Vol. XXXIX (1953), 243-265, presents the attack and the issue of impressment from the British viewpoint.

across the Channel by invasion fade rapidly, resorted to the Continental System, whereby he hoped to choke the British Isles through economic strangulation. All Continental ports under his control were closed to British trade. Reacting to this desperate attempt to isolate her economy, the British government retaliated by declaring the whole northern European coastline under blockade to all commerce between the belligerents, even prohibiting coastwise trade.[4] These various orders and decrees laid severe restrictions upon neutral trade. The situation of the neutrals, and the United States as the chief neutral carrier in particular, was a precarious one indeed! American commerce with the belligerents was constantly exposed to attacks and confiscation by both parties, although Great Britain with her effective control of the high seas, was able to enforce her blockade more effectively than Napoleon.

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[4]Although by this time Britain had succeeded in rendering the French navy quite helpless, French privateers remained a menace to British shipping. The order-in-council of May 16, 1806, declaring the northern coast of Europe from Brest to the Elbe River under blockade, was designed to curtail the activity of these privateers. Certain ports remained open to neutral trade in non-contraband articles. Napoleon's position on the Continent was strengthened in the next few months; and he retaliated with the Berlin Decree of November 21, 1806. It called for a complete blockade of the British Isles and closed all Continental ports to British trade. Curiously, Napoleon exempted the United States from this decree, no doubt hoping to encourage commerce between his country and America. The British government replied with another order-in-council of January, 1807, which forbade continental coastwise trade, even in neutral bottoms. The American Secretaries of State and Their Diplomacy, ed. Samuel Flagg Bemis, "James Madison," by Charles E. Hill (New York: 1927), 121-125.

Moreover, Great Britain, in constant need of sailors to maintain her naval superiority, resorted to impressment of British subjects into His Majesty's service. Such use of force, in addition to long terms of service, poor living conditions, low pay, etc., often caused wide-spread discontent among the British fleets, frequently resulting in defection and desertion. The penalty for desertion was death; but this did not act as a very effective deterrent. Quite naturally, one might expect that defection would be more frequent in foreign or colonial ports, especially in the West Indies, due to the lack of or laxity in law enforcement. The deserters, moreover, more often than not, found a haven in the American merchant marine.

The acquisition of the lucrative neutral trade had brought unprecedented prosperity to American commerce. Not only did exports from the United States rise in volume, but American bottoms captured much of the carrying trade from the French, Dutch, and Spanish colonies.[5] As a result of this tremendous increase in trade, more manpower was required than the United States could provide. Wages were also increased, often two or three times what they had been; and better working conditions generally prevailed in the American commercial fleet.[6] The

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[5]For example, exports from the United States increased from $19,012,041 in 1791 to $108,343,150 in 1807. Samuel Bemis, Jay's Treaty (New York: 1923), p. 33.

[6]"The Merchant Marine of the United States was hungry for sailors. Under the stimulus of the war, it was expanding so

obvious attraction of such conditions provided a tempting bait to to British sailors, and they flocked to American ships.[7] The British navy was thus threatened at its very core; for should desertions continue without any attempts at reclaiming these men, the navy would not be able to maintain its command of the seas.[8]

Thus, impressment on the high seas was resorted to almost from the beginning of the French war in 1793 as being the best method of maintaining the Royal Navy at her necessary strength. This was possible because the British admiralty usually had intelligence about deserters employed on American ships, even to the extent of accurate information of the ship on which each

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rapidly that it required four or five thousand additional hands each year." Alfred L. Burt, The United States, Great Britain and British North America from the Revolution to the Establishment of Peace After the War of 1812 (New Haven: 1940), 211-212.

[7]"Phineas Bond, British Consul at Philadelphia, reported that entire crews deserted in American ports in order to escape service in the navy. . . ." Thomas Barclay, British Consul-General in the United States, wrote from New York in 1801 that "It is always with some extreme reluctance that I make application to any of His Majesty's officers of the Navy for the discharge of American Seamen impressed through mistake into service, from a conviction that where we have one American in our service there are fifty British Seamen serving in American Ships." Zimmerman, 27-28; Barclay to Vice-Admiral Lord High Seymour, Jamaica, September 23, 1801, Selections from the Correspondence of Thomas Barclay, ed. George Lockhart Rives (New York: 1894), p. 132.

[8]The desertion of American seamen was not unheard of, especially in British ports, usually because of the high bounty offered by the British government. Zimmerman states (p. 28) that "the number of seamen thus deserting from American vessels was probably small compared with the number of . . . British." Two of the deserters demanded from the Chesapeake had previously enlisted in British service in this fashion after deserting from the American brig, Neptune.

deserter was employed.[9] Moreover, American captains as a rule did not hesitate to employ known British deserters, since manpower was needed on their own ships. As a result, the British asserted the right to stop on the high seas any merchant vessel employing a subject of Great Britain who had deserted from the Royal Navy. Basing her claim partly on the right of a belligerent to search neutral vessels and partly on her doctrine of indelible allegiance, which declared that a nation has the right to the service of all her natural-born citizens, Britain made extensive use of impressment over the vigorous protests of the American government.[10]

Since no treaty or agreement between the United States and Britain relative to the issue of impressment existed at the time, and since neither nation was legally obliged to return deserters,[11] the American government was loathe to permit what she

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[9]British consuls in American ports received the complaints of British sea captains about the deserters and transmitted this information sometimes to their minister at Washington or to the admiralty station at Halifax or the West Indies. Often, as in the Chesapeake case, the deserters paraded in the presence of their old officers and comrades bedecked in their new uniforms. Steel, p. 250.

[10]John Bassett Moore, Digest of International Law (8 vols.; Washington: 1906), II,987ff. "The major American objection was that Britain sought, under cover of the belligerent right of search and seizure, to execute her municipal laws and regulations on impressment on board the ships of other countries where no laws could operate but the law of nations and the laws of the country to which the vessels belonged." E.M. Wolfgang, The Monroe-Pinkney Treaty, An unpublished Master's thesis at the University of Indiana (Bloomington, Indiana: 1935), p. 48.

considered her sovereignty violated. She, unlike Great Britain, claimed that the merchantmen flying the stars and stripes on the high seas were a part of American territory, subject, it is true, to British search while in British territory, but "untouchable" while on the high seas.[12] Moreover, the American doctrine of naturalization fell on deaf ears in Great Britain. Many British deserters, after a certain number of years in American service, would take out United States citizenship papers. Britain refused to accept this as valid, claiming that she had the right to the service of all of her natural-born citizens.

The upshot was that impressment on the high seas increased with the advent and prolongation of the Anglo-French war. Another abuse, however, arose from impressment which raised almost universal opposition in the United States; namely, the impressment of natural-born American sailors. It became inevitable that once the British began to stop American ships on the high seas it was practically impossible to identify correctly

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[11](from preceding page) Zimmerman, 143. Many American delegations were commissioned between 1790 and 1815 by the American government to settle the impressment controversy, the most impressive attempt being the Monroe-Pinkney Treaty of 1807. This latter was ultimately rejected by the Jefferson Administration because it completely bypassed the impressment issue, a sine qua non for the Americans. The British were hesitant about relinquishing their prerogative, even though it might mean the loss of a friend, while the Americans insisted on a complete renuntiation of the claim. Thus, an impasse was reached and no solution was forthcoming. Perkins, 101-139.

[12]Burt, 212.

or accurately all British deserters, since both Britishmen and Americans were alike in appearance, language, and customs. Moreover, it often happened that some ambitious officer, seeing so many strong and hearty men on an American ship and seeing his own understaffed frigate, would demand Americans in addition to the British deserters. Furthermore, when American ships were docked in British or colonial ports, their entire crew was susceptible to impressment, regardless of nationality or identification or citizenship. As the number of impressed Americans grew,[13] the cry arose in many sections of the United States, especially in the newspapers, for some kind of retaliation. One of the major issues which led to the outbreak of the War of 1812 was the failure of the various American administrations and British cabinets to settle the controversy satisfactorily. Although the actual abuse ended in 1814, this issue remained prominent in Anglo-American relations until about 1840.[14]

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[13] Zimmerman (pp. 259-275) sets the number impressed previous to 1803 at 2059. This was derived from the American investigating committee under David Lennox. In the 1803-1812 era, it is difficult to ascertain the exact number; but various unofficial reports state that about 6057 were impressed. In all, about 9991 men were recorded as being impressed, quite a conservative number when one remembers that contemporary newspaper accounts set the number anywhere between 10,000 and 50,000. Many of these impressed American sailors were, no doubt, British born sailors who had gained American citizenship.

[14] It might be added as a corollary that Great Britain theoretically never renounced the royal prerogative of impressing British subjects on the high seas. In practice, however, it died with the Napoleonic wars, when the need for a large navy was reduced and when regular enlistment and higher wages and living

The controversy remained a grievance both humiliating and degrading to Americans. It reflected their own weakness in the face of a resolute military power, and it further led to the belief, which was fanned by the newspapers, that they were still being treated as a colony of Great Britain. William Pinckney, American Ambassador in London after James Monroe returned to the United States in 1807, expressed American sentiments when he wrote:

> It may be admitted, however, that France is a subject of apprehension to America as well as to Europe; but are we on that account to suffer with patience every wrong that Great Britain, stimulated by the jealousy of her merchants, or on the avarice of her navy, or the pride of conscious power, may inflict upon us? Such a state of slavery to our fears, such a tame surrender of our rights, as the price of British protection against possible and contingent peril, would be a thousand times more degrading than if we were not in the maturity of our years to return openly to the dependence of our colonial infancy upon the guardianship of the parent country.[15]

It is also important to remember that the public outcry which resulted after the Chesapeake attack is not totally inexplicable in the light of the indignities suffered at the hands of the British throughout the impressment controversy. The minds of Americans were therefore attuned to regarding the British as aggressors, and their own helplessness is reflected in the universality of the outcry. Thus, public opinion was already

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conditions became prevalent in the fleet.

[15] Pinkney to Madison, July 31, 1807, Life and Writings and Speeches of William Pinkney, ed. Henry Wheaton (Baltimore: 1826), p. 76

heavily anti-British before the attack.

Another incident, not directly involved with impressment but arising out of America's wartime neutrality, which caused a reaction similar to the Chesapeake attack on a lesser scale, was that of the Leander. In the spring of 1806 the British ship Leander had fired a warning shot at an American vessel that had failed to come to and had killed a member of that crew by the name of John Pierce. This took place within American territorial waters in New York harbor. As a result of this accident, New York mobs "roamed the streets of the city, a British flag was burned, and Consul Barclay, who deplored his own navy's action, feared for a time that his house would be burned and he himself seized as a hostage."[16] President Jefferson attempted to appease the people by issuing proclamations banning the British warships from the New York waters; and the government lodged a formal protest in London demanding the court-martial of the squadron commander, Captain Henry Whitby. Whitby, accordingly, was tried but acquitted and given a high naval post, which aggravated American sensibilities. It seemed as if the British were not only at liberty to impress Americans at will, but that they could invade American waters, kill her citizens, and escape unpunished, drawing only weak protests from the American government.

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[16]Perkins, 107.

This brings us to the "Chesapeake-Leopard Affair." Early in 1807 a storm off the Virginia coast devastated a small French squadron of three ships, driving one ashore and forcing the other two into the Chesapeake Bay. A pursuing British squadron of six ships under Commodore John E. Douglas[17] promptly destroyed the gounded frigate and closed off the mouth of the Chesapeake to the remaining two. While the two French brigs made their way to Annapolis for repairs, the British squadron anchored in Lynnhaven Bay, about ten miles from Norfolk. During this time, they often came into Hampton Roads for supplies.[18]

While part of the British squadron was inside Hampton Roads at the beginning of March, 1807, a boat's crew of five deserted the Halifax and escaped to Norfolk one evening during a party on board the ship. A few days later four more men deserted the Melampus and enlisted for the Chesapeake's cruise to the Mediterranean.[19] The commanders of these British fri-

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[17]These vessels were the Bellona, Douglas' flagship, and the Triumph, both carrying 74 guns; the Melampus (36 guns), the Halifax (18 guns), the Chichester, Belleisle, and the cutter Zenobia. The Leopard (50 guns) arrived in June.

[18]At Annopolis the French frigates "were being hospitably treated to an indefinite stay" while being repaired. "In equal contradiction to what is now the international law upon the subject, one of the British ships, the Chichester was actually alongside the navy wharf at Gosport, Virginia for the same purpose." Steel, 244.

[19]The Halifax deserters were William Hill, Richard Hubert, Henry Saunders, George North and Jenkin Ratford. Only Ratford, under the alias of John Wilson was demanded from the Chesapeake. Of the Melampus deserters, three: William Ware,

gates filed their complaints with the British Consul in Norfolk, Colonel John Hamilton. Hamilton immediately requested the return of these men from the United States naval commander in Norfolk, Captain Stephen Decatur. The British minister in Washington, David Erskine, was also notified and a formal request was lodged with the American government. The Secretary of the Navy, Robert Smith, initiated an investigation of the men reported to have enlisted on the Chesapeake. On April 6 Smith ordered Commodore James Barron, the commander of the Chesapeake, to inquire into the presence of alleged deserters and "to direct the recruiting officers in no case to enter deserters from British ships of War."[20] Barron responded on the following day that the four Melampus deserters were American-born, all of whom had been impressed earlier by the Melampus.[21] Jenkin

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John Strachan, and Daniel Martin, were demanded by the Leopard.

[20]Steel, 247.

[21]William Ware and Daniel Martin, negroes from Frederick County, Maryland and West Port Massachusetts respectively, were reported to have been impressed by the Melampus from the American brig Neptune in the Bay of Biscay in 1806. But later evidence proved that, although these men had been impressed with the rest of the crew, they were returned shortly after in Plymouth. Captain Crofts of the Neptune wrote later to Albert Gallatin, Secretary of the Treasury, which letter Consul-General Thomas Barclay eventually acquired, that these two men had deserted the Neptune in Plymouth shortly after their return and had joined the Melampus because of the high bounty. Although within a month after the Chesapeake attack the American government had knowledge that these men had not been impressed, no official statement was ever forthcoming from the Administration admitting this fact. John Strachan, the other deserter was from Queen Anne County, Maryland; and, although he was impressed,

Ratford, one of the Halifax deserters, seems to have escaped notice in this investigation, due, no doubt, to the fact that he had enlisted under the pseudonym of John Wilson. This information was given to Erskine and he seemed satisfied with it. The Royal Navy, however, knew nothing about this agreement at the time.[22] The American government, through this investigation into the backgrounds of the deserters, thought that it had done its duty and that the matter was settled. But the British were dissatisfied.

Vice-Admiral George Cranfield Berkeley, Member of Parliament, was appointed commander-in-chief of the Halifax Naval Station in the spring of 1806.[23] His confidence in Britain's strength was matched by his confidence that America would back down if faced with an uncompromising policy regarding royal decrees concerning deserters. When continuing complaints reached reached him about the various desertion cases in the Chesapeake area and the apparent American unwillingness to co-operate in

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he had accepted the bounty two years earlier hoping to make his escape when the opportunity was offered. The above document may be found in the [Washington, D.C.] National Intelligencer, Wednesday, November 18, 1807; Steel, 251; and Barclay, Correspondence, 267.

[22] Steel, 248.

[23] In general we follow the account given by Adams in his History, IV, 1-34. Also Commodore Barron's own account given at his court martial in 1808: Proceedings of Court Martial . . . (Navy Dept: 1826), 267-327.

returning these sailors, he decided to act. Not awaiting orders from London, he issued a command to his squadron on June 1 to stop the Chesapeake and remove the deserters.[24] This order was sent from Halifax by the Admiral's own flagship, the Leopard of fifty guns, under the command of Captain Salisbury Humphreys; and it arrived at Lynnhaven Bay on June 21, the day before the Chesapeake sailed.

Early in the same year, Commodore James Barron had been appointed by the Navy Department to sail the old frigate Chesapeake to the Mediterranean with supplies for the small American squadron stationed there to protect American commerce

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[24] His orders read in part as follows: "Whereas many seamen, subject to his Britannic Majesty, and in his Majesty's ships and vessels, . . . while at anchor in the Chesapeake, deserted and entered on board the U.S. frigate the Chesapeake, and openly paraded the streets of Norfolk, in sight of their officers, under the American flag, protected by the magistrates of the town, and the recruiting officer belonging to the above mentioned American frigate, which magistrates, and naval officer, refused giving them up, although demanded by his Britannic Majesty's Consul, as well as the captains of the ships from which the said men had deserted. The captains and commanders of his Majesty's ships and vessels under my command, and therefore, hereby required and directed, in case of meeting with the American frigate Chesapeake, at sea, and without the limits of the United States, to shew to the captain of her, this order, and to require to search his ship for the deserters from the before mentioned [British] ships, and to proceed and search for the same; and if a similar demand shall be made by the Americans, he is to be permitted to search for any deserters from their service, according to the customs and usage of civilized nations, on terms of peace and amity with each other." Connecticut Courant, Wednesday, July 31, 1807. Erskine wrote to Canning on September 1 concerning Berkeley: "The insult which he conceived was offered to the honor of His Majesty's Flag by their [the deserters] being enlisted into the service of the United States and put on board their frigate." Burt, 242.

against the Barbary pirates. Moreover, this ship was destined to replace the Constitution, which was due to return after three years of active duty. In Barron's subsequent court martial in 1808 for his conduct in handling the attack, he attached great weight to the character of his mission and to the detailed instructions which he had received from the Secretary of the Navy. His task was not warlike; he was to have supervision over all American vessels in that area and was to aid in maintaining cordial relations with the Barbary powers.[25] Hence, there was no immediate need to keep his ship in ready preparation for battle.

Accordingly, after receiving his assignment, he and his captain, Charles Gordon, began to gather a crew. When the Melampus and Halifax deserters enlisted, it was generally known that they had abandoned the British squadron and that they were being demanded by the British. "Barron," in the words of Captain Gordon, "ordered an enquiry whether these men were British or Americans. . . . I had done so, and had reported to him that I believed [one of them] to be an American. After this he informed me that it had been proved to the satisfaction of the British Minister that they were Americans."[26] Barron added

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[25]Paul Watson Barron, The Tragic Career of Commodore James Barron (New York: 1942), p. 26.

[26]Captain Charles Gordon, Court Martial Proceedings, p. 230.

later that "enquiry resulted in my own entire conviction, and that of our government, that these men were native American citizens . . . and I had good reason to believe that all pretensions to these men had been abandoned [by the British]."[27] Nonetheless, reports were circulating among the Chesapeake's crew that certain threats had been made by the Melampus to the effect that the deserters would be removed by force. Although no certain evidence was ever found that Barron knew about this rumor, the court of inquiry was satisfied that he had at least some knowledge to this effect.[28]

The Chesapeake was declared sea-worthy on June 17, "mounting 28 long 18-pounders, and 12 32-pound carronades [sic]" and a crew of nearly four hundred men.[29] Commodore Barron came aboard on June 21; and the ship weighed anchor early the next morning. Although the frigate needed more fitting and some of the guns had not been set and the crew was still highly untrained, the officers deemed it necessary to set sail, since they were already many months behind schedule. In addition, the incompetency of the navy yards at Washington and Norfolk were not of much assistance in fitting out the frigate.[30] She

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[27]Commodore James Barron, Ibid., 282.

[28]Ibid., 17.

[29]Salem Gazette, Tuesday, July 14, 1807.

[30]Adams, IV, 6-9. This was the era of Jefferson's "Mosquito Fleet," when excessive faith was placed on small

sailed out of Hampton Roads and passed in full sight of the British squadron lying to the right in Lynnhaven Bay. Nothing was suspected when the Bellona, the squadron commander's vessel, repeatedly signalled to the Leopard. About midday some of the crew noticed that the Leopard seemed to be following; but again nothing was suspected. Finally, at about half-past three o'clock that afternoon, both ships now being almost ten miles southeast of Cape Henry, the British frigate approached and signalled that it had dispatches for Commodore Barron. Barron, suspecting nothing, permitted Lieutenant John Meade on board carrying Admiral Berkeley's letter ordering the return of the four deserters. Captain Humphreys also sent along a note expressing hope that peace could be maintained. Barron refused, claiming that his orders said nothing about surrendering deserters; and Meade returned to his ship. It gradually became apparent to Barron that the Leopard might open fire on his unprepared ship; and so he hesitatingly ordered his men to their battle stations. Ten minutes of deathly silence followed Meade's departure. At last, the Leopard fired a shot across the Chesapeake's bow and followed swiftly with a broadside. The ship was completely at the mercy of the British sloop. Not

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gunboats for the defense of the nation; and all the big frigates were left to a slow decay. With this de-emphasis on the navy, ineptitude and incompetency gradually crept into the Navy Department; and this is reflected in the general state of unpreparedness which the Chesapeake was found when confronted by the Leopard.

only was her crew untrained and her mechanics not ready for battle, but her officers had not suspected that the British would fire; hence their unpreparedness. The firing lasted fifteen minutes, during which time the Leopard fired three broadsides into the silent American vessel killing three and wounding eighteen including Commodore Barron. Finally, after one shot was offered in return to "save the honor of the ship," Barron ordered the flag struck.[31] A few petty officers from the Leopard came aboard and further humiliated American honor by mustering on deck the entire Chesapeake crew and selecting the four deserters. Although there were many British-born sailors in the crew, the boarding party only picked out the four demanded in Berkeley's orders.[32] Humphreys wisely refused to take the ship as a prize, and the humiliated Chesapeake was permitted to limp back to the port from which she had sailed only ten hours before.

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[31]Adams claims that both ships were of equal strength, even though the Leopard carried about fifty-two guns to the Chesapeake's forty. But the weight of the broadsides of both ships were about equal; and the American vessel weighed more and carried a larger crew. The damage wrecked upon the Chesapeake was great, considering that only three broadsides had been fired. Discounting the loss in human lives and injuries, "the official survey, taken the next day showed twenty-two round-shot in the "Chesapeake's" hull, ten shot-holes in the sails, all three masts badly injured, the rigging cut much by grape. . . ." IV, 15, 19.

[32]Steel asserts in his "More Light on the Chesapeake" that at least sixty or seventy of the crew were at some time British subjects or deserters; and he considers this estimate conservative.

The British took the four recaptured deserters to Halifax where they were court-martialed as deserters. Ratford, being British-born, was condemned to death and was hanged. The three Americans were also tried and found guilty of desertion, but their sentences were limited to five hundred lashes. This sentence was never carried out, however, and the prisoners remained in British custody for five years when the two survivors were formally returned to the Chesapeake in Boston harbor on June 13, 1812.[33]

This act was unparalleled in American history. That a friendly warship should fire into a warhip of a non-belligerent friend, killing her citizens, was unheard of. Moreover, this extreme case of impressment was more than the nation could swallow after the long history of previous impressments. Being psychologically attuned for years to regard the British as the aggressors in this sphere, this particular act was magnified until much of the silent hurt feelings which the nation had experienced for the previous fifteen years now became centered in this one act. Most Americans recognized the act for what it was: a deliberate act of war. As the Norfolk Ledger stated: "This is not the act of a rash imprudent commander, but acting in execution of the deliberate orders of his superior officers,

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[33]Moore, Digest, II, 993. Henry Adams, ed. New England Federalism (Boston: 1877), p. 180.

if not from the highest authority of the British government."[34] With this background of impressment and the actual Chesapeake attack, we are now in a position to investigate in detail the American reaction.

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[34] [Boston] Independent Chronicle, Thursday, July 9, 1807.

Chapter II

THE REACTION IN EASTERN VIRGINIA

We begin our study by investigating the reaction of the people of Eastern Virginia, especially around the Norfolk-Portsmouth area, to the Chesapeake attack. Since the incident occurred just off their shores, it is only natural that the sons of Virginia were loudest in their protest against the attack.

According to the Norfolk Ledger, rumor of the attack reached Norfolk early in the morning of June 23, before the Chesapeake had returned to Hampton Roads.

> Tho' the source from whence this information was derived was not such as to deserve the highest consideration, yet it was stated in that way. . . . which left but little hope that it was not true. Accordingly every vessel and boat from the Capes was boarded with great anxiety, and which was not relieved until about 2 o'clock, when positive information was received that the Chesapeake was returning to Hampton Roads, without shewing any colours. About four o'clock, all doubt was relieved, by a spectacle which was calculated, and did not fail, to rouse the indignation of every American present . . .[1]

The town was thrown into confusion. This unforeseen news caught Norfolk completely by surprise and caused temporary havoc. No violence, however, was offered to the British sailors who

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[1] Newport Mercury [Rhode Island], Saturday, July 4, 1807.

happened to be in the town at the time. Nonetheless, "anxiety, rage, and alarm . . . instead of subsiding, is increasing, and the whole part of this country is ripe and prepared for anything that may promise revenge."[2] The Norfolk papers called for immediate retaliation, deeming it "degrading beneath contempt, if we are to submit to such an insult."[3] The Herald was the first of many newspapers throughout the land to speak of war and proudly claimed that, as the world is always interested in knowing the first occasion of a war, the origin of this new one will not be forgotten.[4]

On the following day, Wednesday, June 24, the mayor, Richard Evers Lee, convoked a public meeting in the town hall for all the citizens of Norfolk, Portsmouth, and surrounding area. Its purpose was to decide upon immediate measures to be taken until such time as the federal government has an opportunity to act and voice a public disapproval of the British attack. This meeting was a success, "a more numerous collection of people assembled than was ever before witnessed in this place."[5] Moreover, it was conducted in an orderly fashion and led to a number of specific proposals, and it became the proto-

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[2] Independent Chronicle [Boston], Monday, July 6.

[3] Ibid., Thursday, July 9, 1807.

[4] Ibid., Monday, July 6, 1807.

[5] Ibid.

type for similar protest gatherings all over the United States. Some of these proposals reflect the excited state of mind of the assemblage. The first resolve commanded that "all communication with the British ships of war, now within our waters and on our coasts, and with their agent or agents among us be discontinued; and that we will use our best exertions to prevent all such intercourse and that all persons guilty thereof shall be deemed infamous." Since the British warships patrolling the lower Chesapeake Bay, from the Capes of the Chesapeake in the east to Lynnhaven Bay, had been accustomed for the previous four months to obtain their foodstuffs and water from the Norfolk area, this resolution aimed at effectively and immediately severing the supply line. Furthermore, a "committee of correspondence" was established under General Thomas Mathews. The purpose of this body was to inform the neighboring counties along the James and Elizabeth Rivers of the news of the attack and the steps necessary to oppose it, "recommending similar measures to their consideration." The committee was further requested to write to all the "inhabitants of the principal seaports [along the Atlantic Coast] and endeavour as far as in their power to obtain their consent to these resolutions, so far as effectually to withhold all supplies to any British armed vessel, . . . until ample justice is obtained by our Executive."

Another resolution condemned the British act as "piratical, savage and assassin-like"; and the citizens pledged their

"lives and property to co-operate with the government in any measures they adopt, whether of vengeance or retaliation." The final series of resolutions called upon the mayor to request the immediate summoning of the militia for defense and for the enforcement of these resolutions. Furthermore, a fund was established to aid the wounded, and the families of those killed aboard the Chesapeake; provision was also made for a public funeral should any of the wounded die; and the thirteenth resolution asked the citizens "to wear crape for ten days, as a testimonial of their respect for the memory of those persons, who have fallen victims to British tyranny and premeditated assassination."[6] The presiding committee of this meeting was then constituted a temporary body to put these resolutions into effect. As we shall see, this group of fifteen became the unofficial leaders of local public reaction during the few weeks of its existence; and its actions were often regarded by the British and by northern Federalists with suspicion.[7]

Norfolk in 1807, although only numbering about four or five thousand, was a seaport of sufficient importance to warrant a British consul, who at this time was Col. John Hamilton. Fearing, no doubt, for his own safety at the hands of an offended

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[6] Ibid. The "crepe" was a band of black paper which was worn around the arm.

[7] Salem Gazette [Massachusetts], Friday, July 14, 1807.

citizenry and his own freedom of movement between the consulate and the British squadron in the Bay, he formally inquired of General Mathews, the Chairman of the Committee, whether the resolutions of the public meeting would oppose his liberty of communication with the fleet. Mathews cordially assured the Consul that "no obstacle [will be offered] to you or any of your family communicating with [the fleet]." Moreover, he told Hamilton that his boats would be permitted to pass without examination, "confident that no attempt will be made to contravene the Resolution."[8]

The very next day, however,[9] a near riot ensued when a British officer from the squadron drew near to Norfolk in a small launch with dispatches for Hamilton. After news of his approach spread through the town, some of the citizens hurried to the river bank and put off from the wharves in small skiffs. Since the British launch was in danger of being captured, the officer "hoisted a white flag, the signal for a flag of truce." Although the officer was then permitted to land, he was met by an even greater number of people as he approached the consulate. Hamilton claimed the protection of civil authority, and the crowd offered no physical violence. An hour afterwards the

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[8]Col. John Hamilton to Brig. Gen. Thomas Mathews, June 25, 1807; Gen. Mathews to Hamilton, June 25, 1807. Massachusetts Spy [Worcester], Wednesday, July 8, 1807.

[9]Friday, June 26.

officer was safely on his boat returning to the squadron.[10] The Committee, however, seeing the possible danger should a similar situation in the future get out of hand, met later that day in Eagle's Tavern and resolved:

> As the opinion of this committee, that the British officer who this day brought dispatches to Col. Hamilton, not having hoisted a flag before his approach to our harbour, was not afterwards entitled to be considered as coming under the protection of a flag of truce - and as such, he should have been held in custody until the pleasure of the government be known.[11]

Apparently, the Committee saw no difficulty in Hamilton maintaining contact between the shore and the squadron; but they hesitated to permit anyone from the fleet to deliver dispatches.

One of the resolutions passed at the public meeting on June 24 stated that, should one of the Chesapeake's wounded die, a public funeral would be held at public expense. Three or four days after the attack, one Robert McDonald of Washington died from wounds. The Committee determined to honor him as a

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[10] NewPort Mercury, Saturday, July 11, 1807.

[11] American Citizen [New York], Wednesday, July 1, 1807. Strictly speaking a flag of truce was not required, since there was no war between Great Britain and the United States. After Jefferson's Proclamation of July 2, however, which required the immediate departure of all British warships from American waters, the Governor of Virginia was instructed by the government to use the following norms regarding flags of truce: "As to the enemy within our waters, intercourse, according to the usages of war, can only be by flag. . . . 2. As to the residue of the British nation, with whom we are at peace, their persons and vessels, unarmed, are free to come and go into our country without question or molestation." Jefferson to Gov. Cabell, August 7, 1807; Writings, IX, 92-93.

hero. They met on Saturday, June 27 and planned the whole funeral, even to the detail of what militia companies would march in procession. Furthermore, they resolved:

> That the respective captains now in the Port of Norfolk and Portsmouth, be, and they are hereby requested to put their ships in mourning, and to furnish their boats, to-morrow, at 10 o'clock, in order to convey the corpse from the hospital to the ferry stairs, in such a manner and order as they may arrange among themselves.[12]

The funeral was impressive; on Sunday the body was brought from Hospital Point attended by a procession of boats to the market wharf, while minute guns from the artillery fired during the time and all the American shipping flew at half mast. When the hearse arrived at the County Wharf, a procession was formed with the 54th Regiment leading. It marched through the principal streets of Norfolk to Christ Church, where a patriotic sermon was delivered. Estimates are that about 4000 persons attended the procession and the funeral.[13]

Across Hampton Roads from Norfolk on the north bank lies the little town of Hampton. When news of the Chesapeake attack reached this village, with the spirit and enthusiasm reminiscent of the Revolution still in their hearts, the inhabitants "immediately destroyed upwards of 200 hogsheads of water, which were on board a schooner ready to sail for the

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[12] Connecticut Courant [Hartford], Wednesday, July 8, 1807.

[13] Boston Gazette, Thursday, July 9, 1807. Thomas J. Wertenbaker, Norfolk, Historic Southern Port (Durham, North Carolina: 1931), p. 110.

British man of war."[14] Since the British warships often came into the Roads to pick up supplies at Hampton, this action of the indignant townspeople caused some alarm in the fleet. Should foodstuffs be denied to them from the local area, and it became clear from the Norfolk resolutions and from the subsequent actions of the people of Norfolk and Hampton that such would be the case, two courses of action lay open to them: either victualling themselves from Bermuda or Halifax, or obtaining food by force from the neighboring seacoast plantations. The former alternative, although time consuming, was more sensible and the course which would eventually have to be followed if war was to be avoided. It was the latter, however, which caused great anxiety around the Norfolk area for the next thirty days because of sporadic attempts by the squadron to seek supplies in this fashion. The people of eastern Virginia, after seeing the Chesapeake attacked at their very doors, thought it was not an impossibility that the British fleet, which was by far the strongest military power in the area, use their superior strength to keep themselves supplied. It was partially due to this mentality, now pervading most of the nation, that an unprecedented effort of seacoast defense was precipitated from New England to Georgia. Fear of British seapower was augmented by newspaper articles similar to the following from the Norfolk

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[14] Independent Chronicle, Monday, July 6, 1807. A "hogshead" is a large cask containing from 63 to 140 gallons.

Herald, which was probably not well founded but reflected this uneasiness:

> We have late news from the British men of war by the pilots that were discharged yesterday [at Hampton on June 25]. They declare, that if their water and provisions do not come to them as usual, they will lay three ships of war alongside Hampton, send their barges ashore and take them by force. The Hamptonians are calling balls and cartridges to bid them welcome.[15]

At this point it might be appropriate to discuss what local military measures were being taken to guard against a possible British attack. As previously mentioned the Norfolk public meeting of June 24 requested that the militia be organized. However, this body of volunteers under General Mathews was small and quite poorly armed. It had no artillery to speak of, and its function could not be anything more than purely defensive. The sea defenses were under the command of Captain Stephen Decatur of the United States Navy. His force consisted of the badly damaged Chesapeake hull,[16] four gunboats which were in need of extensive repair, and the use of the French frigate Cybelle which was anchored in Norfolk harbor.[17] A

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[15] Ibid.

[16] Decatur replaced Commodore Barron as commander of the Chesapeake when the latter was accused of neglecting his duty to keep his ship ready for action and for a premature surrender. Massachusetts Spy. Wednesday, July 15, 1807.

[17] Jefferson to General Dearborn, July 13, 1807, The Writings of Thomas Jefferson, ed. H.A. Washington (9 vols.; Philadelphia: 1854), V, 126-127.

few merchant ships also at the Norfolk wharves were counted upon to protect the city in an extreme emergency. For all practical purposes, however, the town was not adequately prepared to defend itself against the superior British force nearby. But as long as the fleet remained in the Bay, the invasion threat was not considered imminent unless war was declared. Hence, for the first few days after the attack the militia was kept only to enforce the aforesaid resolutions, especially that of non-intercourse with the British.[18]

The Association of Seamen and Captains of Norfolk and Portsmouth were more alert, so it seems, than their fellow, non-seafaring citizens. They held a meeting on June 26 at Eagle's Tavern and stressed the necessity of repairing Fort Norfolk and of preparing necessary fortifications on Craney Island, which would prevent the passage of the British warships. They volunteered their services, moreover, to President Jefferson for executing such a project. Jefferson responded and expressed his pleasure that such a qualified group of skilled workers was willing to be of service to their country.[19] As will be seen shortly, it was not long before their services became necessary.

When the news reached Norfolk of the intended threats upon

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[18] Independent Chronicle, Monday, July 6, 1807.

[19] American Citizen, Saturday, July 25, 1807.

Hampton by the British squadron, the Committee realized the imminent danger of invasion and took appropriate steps. First of all it called for volunteers to rehabilitate the dismantled gunboats; then it appointed a committee to examine how much ammunition was available in case of attack.

On Sunday evening, the same day as Robert McDonald's funeral, the Committee learned of the British warnings and threats to Hampton. Alarmed at such news and at their own unprepared state, they made use of the already-volunteered services of the captains and seamen of the port to refit the gunboats. They requested Captain Decatur to "equip the Gun-Boats, [with the help of the volunteers, and] to proceed to Hampton, or as near it as he may judge proper, [and] to co-operate with the people [of that place] in their defense, or to act as circumstances may dictate in preventing the execution of their threat."[20]

Decatur accepted the offer and early on Monday morning almost three hundred of the city's seamen were busily employed on the gunboats. Their state of disrepair was so great that "no rigging was over head, no sails bent, no arms or ammunition on board." With experienced help, however, the ships were ready for action by four o'clock that afternoon.[21] When one of

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[20] Newport Mercury, Saturday, July 11, 1807. National Intelligencer, Monday, November 23, 1807.

[21] Independent Chronicle, Thursday, July 9, 1807. Massachusetts Spy, Wednesday, July 15, 1807.

the seamen employed in rehabilitating the ships died of a sunstroke, public excitement was sogreat that another public funeral was held during which "minute guns were fired from the gunboats" in memory of this new hero.[22]

Although Decatur expressed willingness to comply with the Committee's request to transfer his gunboat fleet to Hampton,[23] he was prevented by orders from Washington. The new commander of the Chesapeake was told by the Secretary of the Navy, Robert Smith, to hasten the "re-equipment" of that frigate. Considering that task to be of the utmost importance for defense, Decatur determined to remain in the city to supervise personally the reconstruction project. Moreover, a naval construction engineer arrived from Washington on July 2 with new supplies to re-fit the damaged warship. Although Hampton would be left undefended for the time being, Decatur consoled the Committee by assuring them that these gunboats "will however, lay where they are, with everything on board, ready for such measures as the government may direct or emergencies call for."[24]

The final measure which the Committee adopted for Norfolk's

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[22] People's Friend and Daily Advertiser [New York], Friday, July 10, 1807.

[23] Decatur to Committee, June 29, 1807, National Intelligencer, Monday, November 23, 1807.

[24] Decatur to Committee, July 1, 1807, American Citizen, Saturday, July 11, 1807.

defense concerned ammunition, which was inadequate to meet the present menace to the area. The following resolves were therefore passed by General Mathew's group. They indicate the power which the Committee was assuming in the crisis. It must be remembered that up to now, it had no other legal position except that of being the creation of the public meeting of June 24.

> Resolved, that a committee . . . be appointed to examine the state of the magazine and to obtain a correct account of the powder in the Borough, the proprietors thereof, and the present market price of that article.
>
> Resolved, That the committee will consider any enhancement in the price of the said article by the holders thereof, at the present crisis, derogatory from the character of a good citizen, and will well deserve the censure and contempt of the nation.
>
> Resolved, As the opinion of this committee, that the public exigencies, require the preservation, in our own hands, of every measure of defence, and that persons who hold any quantity of powder be admonished thereof, and desired to hold it for the public service.[25]

From the Chesapeake attack on Monday, June 22 to Friday, July 3, the British ships lay quietly at anchor in Lynnhaven Bay, apparently waiting for the furor in Norfolk to die down. Except for the frequent rumors of excursions by small parties of British sailors to obtain foodstuffs,[26] and the weekly

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[25] Ibid., Thursday, July 9, 1807.

[26] "The Baltimore Evening Post of the 28th ult. [June] gives a report that the British squadron in Hampton Roads had taken 50 oxen from the coast. Another report states that they have taken several cattle from Smith's Island." Connecticut Courant, Wednesday, July 8, 1807. "We have been informed that a party of Marines, etc. from the British ships of war . . . had landed within ten miles of Norfolk and stolen about forty head of horned cattle." Palladium [Frankfort, Kentucky], Thursday, July 23, 1807. That these reports were

authenticated letter of threat to the citizens of Hampton, the tense situation seemed to be cooling off considerably. This is attested by the above-mentioned move of Captain Decatur to postpone the transfer of the gunboats to Hampton until the Chesapeake had been repaired. But a completely new situation arose on July 3 which provoked the following headlines in many newspapers throughout the nation: "WAR INEVITABLE", and "INSULT ON INSULT."

On Friday afternoon, July 3, four ships of the British squadron weighed anchor in Lynnhaven Bay and sailed west through the Narrows past Old Point Comfort and settled in battle line in the middle of the Roads, blocking the passage of any ship to or from Norfolk and the James River. Why this new move by the squadron? No one seemed to know, but there was universal agreement that it was hostile. The people of Norfolk thought that their city was to be invaded and bombarded, while Hamptonians thought that the invasion menace of the previous week was imminent. Decatur suspected that the British wanted the hull of the Chesapeake now resting in a Norfolk wharf. To protect the frigate and the French warship, he stationed the

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true, at least in substance, is affirmed by Jefferson: "By a letter from Col. Tatham, stationed at the vicinities of Lynhaven Bay, . . . I learn that the British officers and men often go ashore there, that on the day preceeding [July 13], 100 had been at the pleasure-house in quest of fresh provisions and water." Jefferson to Gov. Cabell, July 19, 1807, Writings, Ford, ed., IX, 88-89.

four gunboats around the large vessels and kept his men at quarters that night.[27]

The Fourth of July dawned gloomy and menacing along the lower James River. This was reflected in this Norfolk editorial: "This is the FOURTH OF JULY, the Anniversary of our Independence, and the four British ships . . . weighed anchor yesterday and are now drawn up in line of battle off Hampton!! While we are penning this, we are in full expectation of their attempting a landing!"[28] Since Independence Day is usually devoted to parades and military display, Norfolk was no exception: "The drums beat to arms, the companies of volunteers and militia immediately assembled; and are determined that not an English footstep shall longer pollute our shores with impunity."[29]

His Majesty's squadron soon revealed to Virginians that it was in earnest: "They have brought too by firing at every vessel that has passed in or out of the Capes."[30] It was

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[27] American Citizen, Monday, July 13, 1807. It seems that Decatur was more anxious to protect American honor, represented in the battered Chesapeake hull, than anything else. The naval commander also seemed to forget that after the Chesapeake had struck her flag on the 22nd, the British Captain Humphreys of the Leopard had refused to take her as a prize. Why would it now appear so desirable? But this was a time of uncertainty; and since America's number of battleships was so small, every one was considered valuable.

[28] Massachusetts Spy, Wednesday, July 15, 1807.

[29] Ibid.

[30] Captain Decatur to Robert Smith, July 4, 1807, National Intelligencer, Monday, November 23, 1807.

reported in Norfolk that early that morning a vessel bound for the port was stopped by one of the British frigates. The crew had been insultingly treated and an attack on Norfolk was threatened if supplies would not be forthcoming.[31] Decatur wrote to Secretary Smith:

> They have sent many insolent and menacing messages to Norfolk, such as if the people did not supply them with articles they might want, they would come up and retake the Chesapeake, and cut out the French frigate Cybelle. This, sir, from their movements, it is my opinion they intended to do.[32]

Although there can be no doubt that the British had hostile intentions and that they actually stopped many ships passing through the Roads and sent out tenders sounding the coastline,[33] it is doubtful whether these insults were anything more than unofficial discourtesies of the British sailors. The official statement from the British commander, however, was a different matter.

Commodore John E. Douglas was the commander of the British squadron, and it was to him that Admiral Berkeley sent orders to stop the Chesapeake for the removal of the deserters. Apparently the unofficial, and, to him, illegal actions of the

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[31] American Citizen, Monday, July 13, 1807.

[32] Decatur to Smith, July 4, 1807, National Intelligencer, November 23, 1807.

[33] American Citizen, Monday, July 13, 1807. The British sent tenders even along the "channel of the Elizabeth River almost up to Crany Island, about four miles below."

the people of Norfolk and their Committee in enforcing a non-intercourse resolution against his squadron without any governmental backing annoyed him. What made matters worse was the fact that his officers were not permitted to contact the British consul without being threatened with arrest.[34] Moreover, he could not understand why such a fuss was being made over the Chesapeake attack. To him it was a matter to be treated by the two governments involved and not by a group of citizens who were taking the law into their own hands. These sentiments were expressed in a letter which Douglas sent to Mayor Lee. Not content, however, with these rather theoretical complaints, and prompted, no doubt, into thinking that the Norfolk populace could be intimidated by his superior show of force, he resorted to threats:

> . . . I am therefore determined if this infringement [freedom of communication with the consulate] is not immediately annulled, to prohibit every vessel either bound in , or out of Norfolk, to proceed to their destination until I know the pleasure of my government or the commander in chief's on this station. -You must be perfectly aware, that the British flag never has nor never will be insulted with impunity. -You must be also aware, that it has been, and still is in my power to obstruct the whole trade of the Chesapeake since the late circumstance, which I desisted from, trusting that general unanimity would be restored . . . It is therefore resting with the inhabitants neither to engage in war, or remain on terms of peace.

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[34] The Committee had on Monday, June 29 reaffirmed its intent of enforcing a non-intercourse between the shore and squadron. Consul Hamilton was never barred, however, from travelling to and from the ships; only communication by other British officials was prohibited.

> Agreeable to my intentions, I have proceeded to Hampton Roads with the squadron under my command to await your answer, which, I trust, you will favor me with, without delay.[35]

Mayor Lee promptly responded in a letter of the 4th which began: "The day on which this answer is written, ought itself to suffice, to prove . . . that the American people are not to be intimidated . . . ." Showing the Commodore that he is not impressed by the show of force, he passes on to defense of the legality of the resolutions of General Mathews' Committee. He admits that these resolutions are the acts of individuals and not of the government. But he adds: "If this act be very wrong and illegal, the judiciary of this country . . . will take care to do its duty. At present they have no judicial information of any outrage on their laws, and therefore cannot act." Lee concludes by turning Douglas' intimidation back upon its author:

> If you act, sir, please consider this act of individuals as a measure "extremely hostile," and shall commence hostility, without waiting the decision of our two governments, (although you yourself acknowledge that it properly belongs to them alone to decide,) the inhabitants of Norfolk will conform to your example and protect themselves against any lawless aggression which may be made upon their persons or property. They therefore leave it with you "either to engage in a war or remain in terms of peace," until the pleasure of our respective gov'ts shall be known. . . .[36]

This straight-forward response was delivered to the Commodore

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[35]Commodore Douglas to Richard Evers Lee, July 3, 1807, Western World [Frankfort, Ky.], Thursday, July 30, 1807.

[36]Lee to Douglas, July 4, 1807, Ibid.

on July 5 by Littleton W. Tazewell, who, known as a man of moderation, would certainly try to stand up to Douglas without provoking any unnecessary hostility.[37]

Tazewell's report to the Mayor on this meeting aboard the Bellona was published in many newspapers, and it did much to soothe American war fears. He claimed that he was shown to the Captain's cabin and was treated with deference and politeness by the officers. After Douglas had read the Mayor's letter in Tazewell's presence, the former, apparently quite embarrassed, "stated that his letter [of the 3rd] must have been misapprehended, that it contained no expression of menace which we recollected, and that it certainly was not his intention to use language which could be construed to convey such ideas." He excused the severe language in his letter by blaming his clerk who must have inserted it without his knowledge and that it had subsequently escaped notice. He reassured Tazewell that from his government he had "no orders to commit any act of hostility." Moreover, on the subject of intercourse, "he did not expect to hold any with the people of this country, nor was there any occasion for it. He only wished to be permitted to communicate freely with the accredited officers of his government."[38]

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[37] L.W. Tazewell, future United States Senator and Governor of Virginia.

[38] Littleton W. Tazewell to Lee, July 5, 1807, Palladium [Frankfort, Ky.], Thursday, August 6, 1807.

Douglas himself sent a short note to Lee the following day expressing his accord with Tazewell's letter and added that "as far as I am individually concerned, every exertion shall be used that can, consistent with the honor of the British flag, tend to an amicable termination."[39]

What is the explanation of this apparent reverse in Commodore Douglas' tactics? The Norfolk Ledger editorialized: since intimidation did not work, he was forced "to leave the respective governments to act."[40] To the people of Norfolk, however, although Douglas might declare his peaceful intentions, the fact still remained that his four warships had the city under virtual blockade, stopping incoming ships with impunity.[41] This danger to their freedom provoked the acceleration of their military preparation. The militia drilled and paraded in the

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[39]Commodore Douglas to Lee, July 6, 1807, Newport Mercury, Saturday, July 25, 1807.

[40]Connecticut Courant, Wednesday, July 22, 1807.

[41]An example of how the British enforced this blockade can be seen from the following, which was taken from the collector's Office at Norfolk on July 5. "The sch'r Cynthia-Ann, Harrison . . . was fired at in Hampton Roads by a boat belonging to the British squadron; but not thinking proper to stop continued his way up to Norfolk; they continued firing from the boat to the number of 14 or 16 guns. But of a sudden, found himself fired at from the tender, just a-head of him, he immediately rounded to, was boarded and asked why a damned rascal he did not heave too for the [British boarding] boat, to which he answered that he did not know wny he was to be stopt in his own harbor; the boat then came up and the crew on board of her also abused him, and said that they aimed to hit him, which he thinks they did, as their shot seemed very well aimed." Newport Mercury, Saturday, July 18, 1807.

streets; Decatur kept the harbor defended with his small fleet and was hoping for four additional gunboats from Matthews County; and the Navy Department was sending a shipload of 4000 cannon-balls from Baltimore for the vessels.[42]

The protection of Norfolk, however, required much more than limited local efforts. Statewide and even national assistance were needed, since the state had no artillery and its finances were in no position to meet the crisis.[43] The reaction of President Jefferson to the Chesapeake attack was verbalized in the Proclamation of July 2 which banned British warships from American territorial waters and forbade intercourse with those which did not leave. When the British threatened to blockade Norfolk in the following week, the Executive further ordered the governors of all the states to keep in readiness one hundred thousand militia. To deal with the Norfolk situation, he told Governor William H. Cabell of Virginia that the British actions in that area "render it necessary that we should be as well prepared there as circumstances will permit."[44] He left it to the discretion of the Governor, however, to decide what was needed for an adequate fortification of the area. "I could not

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[42] Palladium, Thursday, August 13, 1807; American Citizen, Monday, July 13, 1807; Palladium, Thursday, August 6, 1807.

[43] Jefferson to Dearborn, July 13, 1807, Writings, ed. Washington, V, 126.

[44] Jefferson to Cabell, July 8, 1807, Writings, ed. Ford, IX, 88.

more effectually provide for the safety of the places mentioned, than by committing it to your hands, as you are nearer the scene of action, have the necessary powers over the militia, can receive information, & give aid so much more promptly than can be done from this place."[45] Acting upon this advice, Cabell called the Virginia Executive Council into session and ordered 11,563 volunteers to fill the ranks of the Virginia militia.[46] Moreover, the unofficial record of this meeting stated that the following preparations had been taken against a possible invasion:

> . . . A detachment of Militia, well armed and equiped, is ordered to march to Norfolk immediately; and another to be stationed at Hampton and its vicinity; and that the Commandants of all the regiments on the sea coast on the Bay, and on the shores below the falls of the rivers James, York, Rappahannock and Potowmac, are ordered to hold the troops under their command in readiness to oppose any attempt by the crew of any British armed vessel to obtain supplies or water or provisions; and to call them out to resist and repel any such attempts.[47]

The above-mentioned "detachment of militia" was a troop of cavalry and infantry from Richmond and Petersburg which arrived in Norfolk around July 12. The total number of active militia in the area was increased to about 1600, all under Brig. General Mathews, who was now able to devote his full time to military

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[45] Ibid.

[46] Virginia's quota of the 100,000 militia ordered by Jefferson.

[47] Newport Mercury, Saturday, July 18, 1807.

affairs since the Norfolk Public Committee had dissolved upon receiving notification of the President's Proclamation.[48] A section of the infantry was kept in Norfolk, while the remainder and the cavalry were transferred to the Lynnhaven Bay area where the main body of the British squadron remained at anchor.

Tension began to die down before the Richmond militia arrived. Commodore Douglas apparently saw that his threatening language had succeeded only in stirring the people even more. Furthermore, it would be hazardous to continue obtaining supplies at Norfolk and Hampton without provoking war. On July 8, therefore, he decided to move two of the warships from the Roads back to Lynnhaven Bay, hoping, no doubt, that his men would find it easier to go ashore in that area to obtain their supplies piecemeal. Only his flagship, the Bellona, and the Leopard remained in the Roads.[49] When official notification of Jefferson's Proclamation was given to Commodore Douglas on July 12, however, he decided to withdraw the remaining frigates. Seeing the delicate situation and probably not wishing to start something he could not finish, he ended the ten day blockade of Norfolk. There was also another rumor circulating at this time to the effect that "abundant scurvy" was raging on the British fleet and that they would be forced to withdraw to Halifax to

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[48] Palladium, Thursday, August 13, 1807. Newport Mercury, Saturday, July 25, 1807.

[49] Massachusetts Spy, Wednesday, July 22, 1807.

relieve their plight. Whether this was true or not cannot be ascertained by the actions of the British, for they remained at Lynnhaven Bay for the next few weeks.[50]

The unwillingness of the British to provoke further hostilities caused many to breathe a sigh of relief. This easing of tensions is reflected by the fact that no sooner had the Richmond militia arrived in Norfolk than Governor Cabell was already asking Jefferson if he thought it prudent to withdraw some of the forces from the town. The President responded favorably: since "Norfolk as [is] rendered safe by the batteries, the two frigates, the 8 gun-boats present, and 9 others & a bomb-vessel which will be there immediately, & consequently that a considerable proportion of the militia may be spared."[51] The militia was still needed in the vicinity of Lynnhaven Bay, however; for the British often went ashore. For example, on July 13 nearly one hundred sailors "had been at the pleasure-house in quest of fresh provisions and water."[52]

Another such incident happened on the evening of July 16; but this one did not pass unnoticed. A boat with five men landed, but right into the hands of a band of patrolling militia

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[50] Palladium, Thursday, August 13, 1807.

[51] Jefferson to Cabell, July 19, 1807, Writings, ed. Ford, IX, 88-89.

[52] Ibid.

one of whom was Winfield Scott, a young lance corporal.[53] When these British sailors saw their danger, they retreated into the nearby woods; but word spread rapidly and soon they were surrounded and seized.[54] This incident brought another burden to Jefferson. What should be done with the sailors? The Virginia General Council decided to hold them as prisoners of war, as violators of the presidential proclamation. Jefferson, however, hesitated from such an overt act of hostility:

> Are they insurgents against the authority of the laws? Are they public enemies. . .? or will it be more correct to take their character from the act of Congress for the preservation of peace in our harbors, which authorizes a qualified war against persons of their demeanor, defining it's objects, & limiting it's extent? Considering this act as constituting the state of things between us & them, the captives may certainly [in theory] be held as prisoners of war. If we restore them it will be an act of favor, and not of any right they can urge. . . .[55]

Jefferson's desire to preserve peace induced him to return the sailors to their ships. He did not guarantee, however, that such offenders would be returned if such an incident were repeated: "And we wish the military to understand that while, for special reasons, we restore the captives in this first instance we applaud the vigilance & activity which, by taking them, have

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[53] Bradford Perkins, Prologue to War: England and the United States: 1805-1812, (Berkeley, Calif.: 1963), p. 143.

[54] Palladium, Thursday, August 20, 1807.

[55] Jefferson to Cabell, July 24, 1807, Writings, Ford ed., IX, 89-90.

frustated the object of their enterprise, and urge a continuance [of the use of force]. . . ."[56]

This latest episode again provoked a flurry of rumors. The Petersburg Republican published a story to the effect that, in retaliation to the American capture of the British sailors, the British commanders had returned this action by taking five American citizens from a coasting vessel, "and that the commodore of the squadron declared he would capture every American vessel going in or out, until the British prosoners [sic] were restored."[57] The National Intelligencer of July 27 carried the report of a plantation owner in the Lynnhaven area who had encountered several trespassing British officers who inquired about the captured sailors. This former "continental soldier," Moses Williams, declared to these officers that "there was not an old planter in the country that would not enforce the Proclamation by putting a ball through any of them who set foot on shore."[58]

Despite this flicker of hostility on July 16, it was apparent that the ferment was dying down and with it went the extreme ardor of the people. It is true that parades still continued through the Norfolk streets, that banquets were held

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[56] Ibid.

[57] Palladium, Thursday, August 20, 1807.

[58] Ibid.

in honor of the militia, and that an occasional British boat came to shore; but war was desired by neither side.[59] Jefferson wrote to Governor Cabell on July 27 that, since Norfolk was well defended, "we are of the opinion that it will be better immediately to discharge the body of militia now in service, both on that & the other side of the James River."[60] "We have therefore determined to keep up only a troop of cavalry [in the Lynnhaven area] for patrolling the coast . . . and preventing their getting supplies, and the naval and artillery force, now in Norfolk, for its defence."[61] On August 17 the militia was further reduced by dismissing the cavalry and substituting a small body of infantry to patrol the coast.[62] Thus, after only two weeks of active duty, the Richmond and Petersburg militia returned to their homes.

Because the effect on the lower James River area caused by the Chesapeake attack was greater than in any other district, we have devoted our attention to that area. However, the other cities and towns of Virginia were just as irate as their sister city on the coast. The Committee of Correspondence in Williams-

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[59] American Citizen, Tuesday, July 29, 1807.

[60] Jefferson to Cabell, July 27, 1807, Writings, ed. Ford, IX, 90-92.

[61] Jefferson to Colonel Tatham [of the Virginia Militia], July 28, 1807, Writings, ed. Washington, V, 145.

[62] Jefferson to Cabell, August 17, 1807, Ibid, 166.

burg reassured the Norfolk Committee that the support of their neighbors to the northwest could be counted upon.[63] Alexandria sent a deputation to Jefferson begging arms and batteries for their vulnerable position.[64]

The people of Richmond did not let the Aaron Burr trial distract them from demonstrating their support of the Norfolk Resolutions by holding an enthusiastic public meeting. It was resolved "that while we deprecate the horrors of war and approve all honorable means of averting them, we possess the firm hope that the government of the United States will avenge this unparalleled outrage with the spirit which becomes the nation."[65] In a letter to Jefferson, they asserted that "the reputation of our country is at stake; and it must now be decided whether we shall assume the dignified attitude of an independent state, or meanly crouch under the leash of an insolent foe."[66]

John Randolph, head of the grand jury at the Burr trial in Richmond, called for the return of the American minister at London; he also wanted Jefferson to summon Congress immediately and to send an ultimatum to Britain demanding redress or war.[67]

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[63] Massachusetts Spy, Wednesday, July 15, 1807.

[64] Jefferson to Henry Dearborn, July 9, 1807, Writings, ed. Washington, V, 122.

[65] Boston Gazette, Thursday, July 9, 1807.

[66] Aurora [Philadelphia], Monday, July 6, 1807.

[67] John Randolph to Joseph Nicholson, June 25, 1807,

James Wilkinson, the chief witness at the trial and commander of the United States Army, counselled moderation:

> The late outrage by the British has produced . . . a degree of Emotion bordering on rage - I revere the Honourable impulse but fear its Effects-. . . The present is no moment for precipitancy or a stretch of power - on the contrary the British being prepared for War & we not, a sudden appeal to hostilities will give them a great advantage.[68]

Many people in Richmond did not share these sentiments; for, when Jefferson's Proclamation and Governor Cabell's call to the citizens for the aid of Norfolk became known, the Richmond Enquirer reported:

> Everything around here breathes a spirit of war. The volunteers corps are parading in the morning and evening. The young are animated by the highest sensations of military ardour, and the old heroes of the war are seen shedding tears of joy at the revived spirit of the American Revolution.[69]

The Governor himself appealed to the patriotism of his people in his "General Orders" calling out the militia:

> . . . Virginia had the honour to stand foremost in the

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quoted in Albert J. Beveridge, The Life of John Marshall (4 vols. Boston: 1919), III, 476. Also William Cabell Bruce, John Randolph of Roanoke: 1773-1833 (2 vols.; New York: 1922), I, 312-315. Randolph, a congressman and onetime Jeffersonian, was in 1807 opposing the Administration on many policies, especially regarding West Florida.

[68] Wilkinson to Jefferson, June 29, 1807, "Letters in Relation," MSS Lib. of Cong., quoted in Beveridge, III, 476. Wilkinson was summoned by Randolph's grand jury from New Orleans to be a witness at Burr's trial. He narrowly escaped indictment himself for his suspected accepting of Spanish bribes. Ordered before a court of inquiry, he was acquited six months later.

[69] Aurora, Tuesday, July 14, 1807.

> bold and glorious measure which led to our independence: she has now the first opportunity of exhibiting to her sister states a model of that energy with which independence ought to be protected and avenged. The/Governor will not say he hopes, because he knows that she will prove herself worthy of the high destination to which she is called.[70]

Such spirit could not but infect the people, especially the militia, which was hastily assembled and dispatched to the coast.

Petersburg too felt the wave of patriotism when the call for volunteers came. Everyone was certain that a glorious battle would ensue in the vicinity of Norfolk. One Petersburg newspaper reported on July 10:

> All has been noise and bustle in our town for the last three days. The hum and hurry of business was forgotten amid the beating of drums and sound of trumpets. The spirit of the nation is at length roused, and the cry of VENGEANCE, like an electric spark communicates from man to man.[71]

When the Richmond cavalry arrived in Petersburg on its way to Norfolk, a gala parade was held through the streets of the town where it joined with the local cavalry detachment.[72]

The four day march of the militia from Petersburg to Norfolk occasioned several letters from the militiamen, which reflect the enthusiasm of these men and the national spirit of the times. One officer of the Virginia detachment wrote on

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[70] American Citizen, Thursday, August 6, 1807.

[71] Independent Chronicle, Monday, July 20, 1807.

[72] Palladium, Thursday, August 13, 1807.

July 11 about the contrasts in the soldier's life, who on one night contented himself with sleeping in Tolyman's Tavern, while on the next met with the "Capua of our campaign, . . . the magnificent and superb mansion of Westover, on the James River, the family seat of the celebrated Byrds." Commenting on this luxury he stated that "prosperity was insufficient to corrupt us, and we proceeded in our tour next day with much brisker steps and much firmer spirits, than we originally set out with."[73]

Another letter from Portsmouth on July 17 declared:

> . . . But no obstacles however great, could extinguish the ardour of the troops. They bore heat, and thirst, fatigue and sleeplessness, with as much fortitude and perseverance as the veteran legions of Bonaparte. . . I could throw in new captivation to this picture by drawing in the back ground the hospitality, the sympathy, and the congenial enthusiasm which they [the militia] everywhere experience on the road. We have seen the eye of every veteran soldier lighted up from the altar of '76 . . . and on many an occasion have the inhabitants on the road, cheerfully and volunterily offered us those accomodations which they would have refused to the purse on request of any ordinary traveller.[74]

Not all in the militia were as highly enthusiastic, however. One Petersburg cavalryman wrote home that for the most part his company was disheartened. Upon arrival in Portsmouth no provision had been made for them, either for food or living accommodations. This young man was disillusioned, as was true of many a militia volunteer, who, hoping for battle the

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[73] American Citizen, Tuesday, July 21, 1807.

[74] Palladium, Thursday, August 13, 1807.

very moment he arrived at his destination, found the tensions of the blockade wearing off:

> I shall cheerfully go any where or do anything in my power to serve my country - but I feel no disposition to stay here and look occasionally at the British frigates - march out into the fields under the influence of a broiling sun, and return to the bustle and dissipation of a tavern. [He later adds] I hope that this will be the course: and will join either a frigate or a gun boat for the purpose - for I have no idea of returning without having a battle of some kind. . . .[75]

Although, as we have seen from the foregoing, the people of Virginia reacted very strongly towards the Chesapeake attack and the possible threat of British aggression to their state, the other parts of the United States were not silent on this attack.

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[75] Salem Gazette, Friday, July 31, 1807.

Chapter III

THE MIDDLE ATLANTIC STATES

News of the attack reached Baltimore about June 24 or 25. A public meeting was soon convoked at the Court House and "was far more numerous than any heretofore known in the city." Spirited resolves called for the citizens to "regard with abhorrence and detestation all persons who shall countenance the unprovoked and outrageous conduct aforesaid, by holding any intercourse with or affording aid to any of his Britannic Majesty's ships-of-war now on our coasts."[1] It pledged its confidence in the Administrations's ability to meet the crisis; and its members pledged their "lives and fortunes [to] support the government . . . to obtain redress and satisfaction. . . ."[2] The Baltimore American called for national support for the government's policies and hastened to warn the people against any violent actions which they might later regret:

> There can be little question but that every American citizen will "at the call of law fly to the standard of the law, meet invasions of our right as his own perfect concern.

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[1] Aurora, Thursday, July 2, 1807.

[2] Connecticut Courant, Wednesday, July 8, 1807.

> It becomes us all at this crisis, so trying to our feelings to speak and act with firmness of character qualified by a dignified composure, which, while it feels an eager solicitude for satisfaction for an insult of such magnitude, yet knows too well what is due to decorum to commit any extra vagrant act that might diminish the lustre of that great name which we have obtained in the world for justice in our transactions.[3]

When David Erskine, the British Minister, passed through Baltimore on his way to Washington from New York on the public stage, he took the precaution of travelling incognito in order to avoid any unpleasant scenes which might arise.[4] One morning soon after the attack became known, an incident happened which, while not important in itself, reflects the growing animosity between the Americans and the British:

> An affray took place this morning on the Point, in consequence of the master of an English vessel having said "he hoped to see the day when all our d--d little towns would be battered down by his Majesty's ships, and that he wished to have a hand in the business." A victualler who had heard him, determined to pay him in advance for his intended kindness, and gave him a handsome dressing. The affray very properly ended there.[5]

A prominent citizen of Baltimore, Robert G. Harper, determined to form a volunteer company of cavalry. In soliciting volunteers, he advertised in the newspaper asking for help from any able-bodied man regardless of his political persuasion: "It is the duty of a citizen to defend his country, whatever may

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[3] Independent Chronicle, Monday, July 6, 1807.

[4] Connecticut Courant, Wednesday, July 15, 1807.

[5] Ibid, Wednesday, July 8, 1807.

be his opinion of the manner in which its government is administered."[6]

As in Norfolk, the sailors of the port of Baltimore offered their services to President Jefferson, "pledging ourselves as we hereby solemnly do, to contribute all in our power towards avenging the cowardly murder of our seafaring brethren."[7]

In 1807 Philadelphia was one of the few cosmopolitan cities in the United States. It was populous, rich, and had a long past tradition for moderateness. When the Chesapeake attack became known, however, her inhabitants gathered on July 1 to stage what was to become the largest meeting of protest in the United States, numbering between six and ten thousand. The pro-Jeffersonian Aurora commented:

> The number, however, was the least distinguishing evidence of the ardor of the people, -the countenances of all, exhibited at once anxious solicitude and enthusiastic firmness - there was no longer a distinction of parties. Great as were its numbers, and distinguished as was their patriotism, the good order and dignified moderation which prevailed, were above all conspicuous. . . . In no other country, perhaps, has so large an assemblage ever been collected on ordinary occasions, which separated in so creditable a manner.[8]

The minutes of this meeting, which was held at the State Court House, reveals that the Philadelphians considered the attack a national affront to the sovereignty of the United

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[6] American Citizen, Tuesday, July 28, 1807.

[7] Ibid., Thursday, August 6, 1807.

[8] Aurora, Thursday, July 2, 1807.

States. They declared that since our "wrongs are national let our redress be national." They pledged their support of the government to "compel the most rigid retribution." Viewing silence and indifference in such an emergency as manifesting a lack of patriotism, they resolved "to make any sacrifices and to encounter any hazards" which would be required of them.[9] Richard Rush of the famous Philadelphian Rush family delivered a speech at this meeting,[10] which in the rhetorical and patriotic flourishes of the day declared that "these [indignities] are not light considerations - They involve no party question - here we are all of one party, NATIONAL feelings triumph over every other minor object - all our hearts . . . burn with one resentment." After the crowd applauded its approval, he urged firmness, tempered, however, with moderation.[11]

On the day following the public meeting, the British brig Fox of seventeen guns was docked at South Street wharf and was rumored to be loading "guns and pistols, swords, and other

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[9] Ibid. Independent Chronicle, Thursday, July 9, 1807. American Citizen, Monday, July 6, 1807.

[10] Richard Rush (1780-1859) was the second son of Dr. Benjamin Rush. Richard was secretary of the Treasury and Attorney General under Madison, Secretary of State pro-temp under Monroe, Minister to Britain: 1817-1824, and Minister to France: 1846-1849. This particular speech in 1807 brought him great acclaim and helped his incipient reputation. Dexter Perkins, Dictionary of American Biography, ed. Allen Johnson and Dumas Malone 22 vols.; New York: 1943), XVI, 231-234.

[11] Western World, Thursday, August 13, 1807.

military stores" for the squadron in the Chesapeake. A few townsmen decided to investigate for themselves. They boarded the ship "to ascertain facts," satisfied themselves, unshipped the rudder, and carried it into Chestnut Street and laid it down in the street opposite the house of the British Consul. They also took her arms, ammunition and guns and deposited them in front of the State House. When Matthew Lawler's Committee learned of this, a few members took possession of the vessel to avert further vandalism and addressed the rowdy crowd that the brig would not leave the wharf until it was satisfactorily determined that no supplies for the British Navy were on board. Satisfied with this explanation, the gathering became pacified and broke up.[12] The Citizens Council of the city issued a message to the people on the following day pleading for non-violence for the sake of aiding the peaceful intentions of the Federal Government, since "imperious honor and duty ought to teach us forbear from every act which could embarass its [the Federal Government] councils or distract its measures."[13] Thus, the committee averted further unnecessary violence by their quick thinking and hasty actions. The ammunition and all of the guns except seven were turned back to the Fox three days later; and she left Philadelphia for New York in July 11.

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[12] Palladium, Thursday, August 6, 1807. American Citizen, Tuesday, July 21, 1807. Boston Gazette, Thursday, July 9, 1807.

[13] Boston Gazette, Monday, July 13, 1807.

William Duane was a personal friend of President Jefferson and one of his most ardent supporters in Philadelphia. He published the Aurora, a daily newspaper which was often outspoken in its anti-British sentiments and frequently involved in heated and controversial debates with the Federalists.[14] When the Chesapeake news reached the Quaker City, Duane editorialized: "We will not be surprised to hear that the crew of the Chesapeake or the friends of the murdered seamen . . . on their return to Norfolk, tore down the house of the British consul - if they have, there is not an American who will censure them."[15] Six months before the Embargo Act, Duane was optimistically recounting the effectiveness of such a course of action:

> Nothing will bring the British to a sense of their condition, nothing will rescue the American from disgrace and plunder - but a total suspension of intercourse. In three to six months we can reduce them to terms - the provocation we have had and the honor of the nation will render it doubly efficacious.[16]

The Federalists and other critics of the government, however, were hesitant to voice such sentiments. Although the United States Gazette claimed that "the British officers merit

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[14] "His genius in controversy and management, his courage and audacity, the sincerity and intensity of his convictions, and his virile style of writing, made him the most effective journalist of his time." Claude G. Bowers, Dict. of Am. Bio., V, 467.

[15] Aurora, Monday, June 29, 1807.

[16] Ibid.

all the indignation and abhorrence which can profitably be expressed; and if they have acted from the orders of their government, we cannot avoid taking up the sword to chastise that government,"[17] another Federalist paper, Relf's Gazette, openly criticized the staging of the public meeting on July 1, claiming that "popular assemblies are not competent even to deliberate on so interesting a question; much less designate suitable measures for redress."[18] In the beginning the criticisms of the opposition were limited to the military unpreparedness of the United States to carry on a full-scale war with Great Britain should one ensue. After a month, however, the United States Gazette declared:

> Six weeks have passed since our flag was struck and we have yet received from the government not one circumstance on which we can form an opinion either as to the conduct of captain Barron or as to the serious consequence which may result from the outrage against his ship. The merchant cannot send out his vessel . . . -the farmer cannot sell his grain, and if the present uncertainty and secrecy should continue for a few weeks, the mechanicks and farmers more immediately dependent on the merchants, will lose their accustomed and indispensable employment. . . .[19]

As we will see shortly, the Federalists of Philadelphia were not alone in their cries of dissent.

The advertisements of the Philadelphia newspapers also

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[17] Boston Gazette, Thursday, July 9, 1807.

[18] Aurora, Wednesday, July 1, 1807.

[19] Connecticut Courant, Wednesday, August 26, 1807.

reflected a marked reaction to the Chesapeake attack. In calling for volunteers for the militia, one advertisement asked: "Do not the present circumstances of our country call upon its youth to associate themselves, in volunteer companies? The young men of Norfolk and Baltimore have almost unanimously done so. . . . There was never a time, when the youth of our country could more honorably evince their patriotism and spirit, than at present."[20] A certain Joseph Crosby entitled his advertisement: "To the Citizens of Philadelphia":

> Whereas it has been industriously circulated in different companies, that I am an enemy to this country, and by my neighbor threatened with being torn to pieces. I wish to inform the public that it is entirely a private quarrel, that my neighbor is thus so spiteful. I declare before my God . . . that I am not prejudiced against this country but . . . ready to join with the good Americans to avenge the cause of an injured country.[21]

While this might seem a little amusing to us, nonetheless, it was a genuine fear of public reaction that caused Mr. Crosby to publish his defense, remembering, no doubt, that it was this same angry citizenry that earlier had seized and disarmed the Fox.

Thus Philadelphia was loud in her disapproval of the attack, as the Aurora summarized: "On every side all are emulous of being foremost in the expression of abhorrence of the late British murder and outrage - there appears to be a universal

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[20] Aurora, Saturday, July 4, 1807.

[21] Ibid., Monday, July 6, 1807.

determination to support our government in the measures it may adopt."[22]

The inhabitants of Newark, New Jersey held a public meeting on July 8 in protest to the attack. They, "lying aside all local and party dissentions, think it their duty to unite in expressing their opinions on transactions so interesting to the feelings of independent freemen." They expressed their approval of the administration's policy of steering an independent neutral course in the European conflict and of "observing a cordial hospitality accompanied with a strict and rigid impartiality to all." Hope was enuntiated that this new affront would not send the United States into war, although no efforts would be spared should the government think it the only course advisable.[23]

The Chesapeake attack was not a surprise to New Yorkers. It had been only a little more than a year since they had witnessed the Leander shooting within their harbor;[24] and British warships often approached the shore or remained within the harbor to inspect neutral commerce as it departed. Moreover, they were well aware that their city was quite vulnerable to a British attack in wartime; and, as a result, there was much protestation against this outrage. Governor DeWitt Clinton

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[22] Ibid., Wednesday, July 1, 1807.

[23] American Citizen, Friday, July 10, 1807.

[24] Cf. Chapter I.

presided over a public meeting on July 2 which condemned "the dastardly and unprovoked attack . . . to be a violation of our national rights, as atrocious as it is unprecedented."[25]

Sir Augustus Foster of the British Legation was returning to Washington from a New England visit when he learned of the attack. As a precaution, he decided to send his curricle ahead, while he travelled incognito. As he wrote in his diary afterwards, he was thankful for this decision:

> . . . for the indignation of some people at New York at the rash act of Admiral Berkeley, was so great they wanted to throw both curricle and horses into the North River and were only prevented from doing so by the mere accident of a reasonable prudent person having happily been a passenger in the ferry boat with them. . . .[26]

Later he wrote to his mother that the majority of the American people had so changed their views that instead of wishing "to see Bonaparte destroyed as the best pledge of safety to themselves, they now desire the contrary."[27] The British Consul-General, Thomas Barclay wrote to Secretary Canning from New York that "the circumstance is viewed by the respectable part of the Inhabitants of this City . . . in a very serious point

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[25] Aurora, Monday, July 6, 1807.

[26] Sir Augustus Foster, Jeffersonian America: Notes on the United States of America Collected in the Years 1805-6-7-and 11-12, ed. with intro. Richard Beale Davis (San Marino: 1954), p. 293.

[27] Foster to his Mother, July 16, 1807, quoted in Irving Brant, James Madison, Secretary of State: 1801-1809 (Indianapolis: 1953), 383-4.

of view, and that the lower order of the American are much irritated and inclined for violent measures."[28]

When James Cheetham, editor of the American Citizen, learned of Jefferson's Proclamation, he exclaimed: "This is not a time for temporising measures."

> We know enough of and have suffered sufficient from the British government. Negociation, within the necessary previous steps, would be followed by fresh outrages. We have been amused by the British government and abused by its court martials.[29] Should not Congress be immediately convened - intercourse suspended - an embargo laid, and the most prompt and vigorous measures of defence be adopted? We are a young and vigorous, a wealthy and powerful nation, and when our rights and honor are at stake (and they are at present) considerations of expense should be out of the question.[30]

In the same editorial, however, Cheetham questioned whether the country was sufficiently prepared to put the Proclamation into effect: ". . . I do not mean the abstract means, . . . but the prepared means - those which may be called into immediate and efficient action." He called for "an efficient armed force . . . and if the government will not provide one for us, why not, by voluntary contribution, prepare it ourselves?"[31]

As elsewhere, the Federalist press in New York hesitated to

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[28] Thomas Barclay to George Canning, July 2, 1807, Selections from the Correspondence of Thomas Barclay, ed. George Lockhart Rives (New York: 1894), p. 264.

[29] This is a reference to the court martial of Captain Whitby of the Leander who was acquitted and promoted.

[30] American Citizen, Monday, July 6, 1807.

[31] Salem Gazette, Tuesday, July 14, 1807.

condemn the British attack, gradually assuming a position of a defense of the British. The Federalist New York Evening Post, however, stood by the government. Its editor, William Coleman,[32] held that Great Britain was entirely in the wrong; and he did not hesitate to criticize his fellow-Federalists for defending the right of belligerents to search neutral warships. The Democratic papers were not slow to gloat over their neophite. One Massachusetts editor reported that Coleman's "conduct has nettled the Boston tories so much that they can scarcely conceal their indignation."[33] The defection of the Evening Post, however, was a rather rare event since the Federalist press generally remained in opposition to the government.

Next to Norfolk, no city underwent more military preparation for an eventual war than New York. Secretary of the Treasury, Albert Gallatin, had advised Jefferson that, in the event of a war, New York would be one of the "great objects of attack."[34] The President, accordingly, appointed commissioners

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[32]William Coleman (1766-1829) was a Hamiltonian Federalist. "During Jefferson's second administration, Coleman bitterly denounced his foreign policy as anti-English; fought the Embargo; attacked Clay; and sought to discredit the floating of the Gallatin loan." Claude G. Bowers, Dict. of Am Biog., IV, 294-295. This change of heart during the Chesapeake controversy was apparently short-lived.

[33]National Aegis [Worcester, Mass.], Wednesday, September 16, 1807. Zimmerman, Impressment of Am. Sailors, 149.

[34]Gallatin to Jefferson, July 25, 1807, Writings of Albert Gallatin, ed. Henry Adams (2 vols.; Philadelphia: 1879) I, 340-353.

to fortify the port and harbor, "having unlimited powers to act as the exigency of the moment may dictate."[35] Secretary at War, Dearborn, Vice-President George Clinton, and Colonel Jonathan Williams, chief of the army engineering corps, supervised the project in the beginning, while Colonel Williams was ultimately left in complete charge.[36] The fortification was carried out at breakneck speed. On July 20 twelve 24's arrived from Philadelphia;[37] and Jefferson declared that by the end of the month thirty-two gunboats and a system of batteries along the shores would protect the city.[38]

The people of New York supported the military buildup with enthusiasm. One paper commented that "everything yields to the enthusiasm of the moment. The young as well as the aged are learning the art of war, -- and becoming willing subjects of military discipline."[39] A corps of artillery and infantry consisting of men over forty years of age was formed to defend

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[35] Western World, Thursday, August 13, 1807.

[36] Jefferson wrote to General Dearborn: "I wish you would stay long enough at N. York to settle with the V.P. & Col. Williams, the plan of defence for that place. . . . But as soon as that is done, should matters remain in their present critical state, I think the public interest and safety would suffer by your absence from us." July 7, 1807, Writings, ed. Ford, IX, 101.

[37] Palladium, Thursday, August 20, 1807.

[38] Jefferson to John W. Eppes, July 12, 1807, Writings, ed. Ford, IX, 107-109.

[39] Boston Gazette, Thursday, July 23, 1807.

the city.[40] A general meeting of the Seventh Ward was held on July 14 to organize its inhabitants for the war effort. They resolved to "hold ourselves in readiness to afford such aid as they [the government] may deem it necessary to call for on this occasion." Moreover, they appointed a committee of sixteen "to receive voluntary subscriptions for personal labour, to be in readiness at a moment's warning, when called for."[41] A plan which had been successfully tried at Union College in "Schenectady" was proposed for youths between the ages of fourteen and eighteen, guaranteeing to mold them into an efficient fighting force within three months.[42] Robert Fulton conducted many experiments in water-torpedoes in the New York harbor. Many in the city witnessed the failure of one experiment in the afternoon of July 18 and its final success that evening. Jefferson encouraged him: "I consider your torpedoes as very valuable means of the defence of harbors, and have no doubt that we should adopt them to a considerable degree."[43] Even the Tammany Society in its own quaint language expressed its desire to help:

> Brothers, To say more is useless, you know all the rest; let us, therefore, immediately string our bows, point

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[40] Salem Gazette, Thursday, July 16, 1807.

[41] American Citizen, Saturday, July 18, 1807.

[42] Ibid., Thursday, July 16, 1807.

[43] Ibid., Wednesday, July 22, 1807. Jefferson to Fulton, August 16, 1807, Writings, ed. Washington, V, 165.

> our arrows, and sharpen our tamahawk, in order to be ready at the first call of our great grand Sachem, to strike the foe, the savages of the bloody nation, who reside in the isle of pirates towards the rising sun, whenever they shall attempt to insult our happy land.[44]

Perhaps, the comment of Consul Barclay summarizes the attitude of New York to the Chesapeake attack. Giving an overall view from his New York vantage point, he wrote on August 5 to Secretary Canning: "The Eastern States are averse to a War with Great Britain. In this State a great proportion of the respectable characters are of similar sentiments, but as you progress to the Southward they are more warm, and in Maryland, Virginia and the Carolinas I suspect War would be a popular measure."[45]

At a meeting of the Albany Volunteers held on July 18 at Skinner's Coffee House, it was resolved unanimously that these men "zealously attached to the freedom, independence and honour of their country, . . . do voluntarily tender their best services to the government of their country. . . ."[46] In Ontario County the meeting stated that "no foreign government has a right to enlist our citizens in its military service." They claimed that "these rights of individuals which we are bound to defend . . . ought not to be submitted to for a moment, after

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[44] American Citizen, Wednesday, July 22, 1807.

[45] Correspondence, 265.

[46] American Citizen, Saturday, August 15, 1807.

it [impressment] is claimed as a right."[47] The citizens of Orange County met on July 18 at Goshen, New York because "they feel it a duty incumbant on us as American citizens, to express our utter detestation of these abominable transactions." They resolved to forget their local differences and party lines during this crisis because "the common interest we feel in the welfare of our common country is the bond which unites us all; and consequently the only distinction which we now recognize, is that between Americans and Traitors."[48]

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[47] Ibid., Saturday, August 15, 1807.

[48] Ibid., Friday, July 31, 1807.

Chapter IV

NEW ENGLAND

Political unrest marked the atmosphere of early nineteenth century New England. Extensive mercantile and trading interests made it economically different from the rest of the United States. Although the farmer still held an important position in parts of Massachusetts, Vermont, and upper Connecticut, the political power in these states was principally in the hands of the merchants and the old aristocratic families. Thus the Jeffersonian revolution of the late eighteenth century was regarded with suspicion, and it met opposition in the area because it favored the farmer, not the merchant. The old conservative elements clung tenaciously to what they considered the only proper policy; that is, carefully preserving the interests of the upper classes, the merchant, the plantation owner, etc. To them this "halfway house between the European past and the American future" was the only way to preserve Anglo-Saxon liberties from turning into the excesses of the French Revolution.[1]

Jeffersonian democracy, however, was on the uprise. More

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[1]Henry Adams, History of the United States, II, 76.

and more of the New England farmers and city dwellers were turning to the new Democratic party in the hope that the tight grip of the ruling class could be broken, especially in Connecticut, Rhode Island and Massachusetts. Although in 1800 the Federalists still controlled four of the five governorships and all the legislatures, they lost considerable ground in the 1804 election when Jefferson was elected by all the states except Connecticut. Moreover, talk of secession by extremists in the Federalist party further weakened its appeal; while their continual support of Great Britain in the impressment controversy alienated others. New England merchants, however, continued to prosper principally through the growth of neutral trade, of which they owned half of the tonnage. They were loathe to see their lucrative business stopped because of a squabble over maritime rights.[2]

It was in this atmosphere that the Chesapeake attack exploded like a bombshell. What policy should the Federalists follow? Could they carry the rest of New England with them, or would this further effect their decline? As will be seen, both elements were partially true; for most people were alarmed over the British action, but their alarm was never without some criticism of the government. Although many public meetings

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[2]The preceding has been drawn from James Truslow Adams, New England in the Republic: 1776-1850. (Boston: 1926) 230-242.

were staged throughout these five states, the opposition rallied quickly to the defense of the British.

The Connecticut Courant of Hartford tried to check public anger. A week after the attack became known Dentatus wrote:

> . . . At such a crisis, it is not our policy to set down and evaporate our rage, by retailing invective against our enemy; there is an active duty for us all. -Our first object is to devise the best measures for the exercise of the public energies. We have learnt that Great-Britain is not to be intimidated by Proclamations and Bulletins, issued thro' the National Intelligencer; nor to be humbled by volites of declamation from the Aurora and Citizen. The maxim, that to preserve peace we must be prepared for war; is as old as a knowledge of national ambition and national rapacity. . . .[3]

Jefferson's call to keep in readiness 100,000 militia in case of an eventual war was criticized as being a useless tax on the people, since a possible British attack would be naval rather than by land.[4] The Providence Gazette published an article by "An Old Soldier of '76" in August which condoned the Federalist opposition to war:

> . . . The yelping of the "dogs of war" did at first mislead many - but as soon as they were enabled to cooly enquire into and examine the root of the matter, they saw the snare that was laid for them; . . . and with the exception of a few rabid and desperate privateer-men in some of our seaports, they have returned to sentiments of soberness and truth. All sober thinking men agree, that it would be the height of folly and madness for us to plunge ourselves in a war, originating in the crafty counsels of Tallyrand and Bonaparte. . . .

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[3] Connecticut Courant, Wednesday, July 8, 1807.

[4] Ibid., Wednesday, August 5, 1807.

> Our opinions have brought on us a storm of abuse - but we have weathered the gale.[5]

Perhaps a truer gauge of New England reaction to the attack can be gathered from a few of the resolutions passed at the town meeting in Newport, Rhode Island. Although this assembly was well-attended, an even greater phenomenon was that men from both parties served on the committee. They expressed their uneasiness at the "totally defenceless situation of our port and harbour;" but expressed their confidence that the government would see to its proper fortification. Moreover, they approved of the Presidential Proclamation and added: "If more vigorous measures eventually become necessary . . . we pledge ourselves to support our Government, and to make all possible efforts in that cause."[6] Their appeal for aid was answered; for Captain Beall, commander of Fort-Wolcott in Newport, received orders to strengthen the fort and to recondition the several gunboats of the fort.[7]

Boston was the center of New England Federalism and the home of the Essex Junto.[8] The Federalists, as a rule, were no

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[5]Providence Gazette, Saturday, August 22, 1807.

[6]Newport Mercury, Saturday, July 11, 1807.

[7]Ibid., Saturday, July 18, 1807.

[8]The Essex Junto was the extreme right wing group of the Federalist Party, composed of educated and propertied men originally from Essex County, Massachusetts. They favored the Constitution and Hamilton's fiscal policy. Later they advocated war with Revolutionary France, opposed the Jeffersonian Embargo,

less patriotic than their fellow citizens; but in a situation such as the Chesapeake affair, this fact was not so apparent to the rest of the country, which considered them traitors for their pro-British policies. When the news reached Boston on June 30, a general feeling of indignation and humiliation swept the city. Federalist and Democrat alike felt that their country had received an unjust blow. All six newspapers, including the Essex Junto organs, the Palladium and Repertory, united in calling Great Britain to task for the deed.[9] The Gazette wrote:

> The Federalists will be assuredly as forward to enspirit and support the administration in procuring redress from England, whatever the expense of blood or treasure, as the Democrats were backward in supporting the former administration when plundered and insulted by France.[10]

Yet, the fervor which swept the nation was not as obvious in Boston. As a friend from Charleston wrote to Harrison Gray Otis, "You are so cool and dispassionate a people in Boston that you seem to have escaped the passion which enflames us, in consequence of the outrage on one of our frigates."[11] One

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and finally brought about its repeal. Because of its opposition to Jefferson's Embargo and the War of 1812, the group became known as the "British Faction." Nullification and secession were promoted. It was dominant in summoning the Hartford Convention in 1814. Its influence waned and disappeared after the Treaty of Ghent and the Battle of New Orleans in 1815. Thomas Robson Hay, Dictionary of American History, ed. James Truslow Adams (6 vols.; New York: 1940), II, 229.

[9]Morison, Life and Letters of Harrison Gray Otis, I, 276.

[10]Boston Gazette, Thursday, July 9, 1807.

reason for this was that the Federalist saw the European war in a different light from his Democratic opponent. For the Federalist, Great Britain was the one bastion of freedom remaining to thwart the dreams of universal empire of Bonaparte; and, should the United States plunge into war with her, she would be unwittingly aiding France and weakening Britain. Moreover, they considered the United States to be in a "despicably helpless condition" without a navy, army, or other means of maintaining a war. As a result, they were willing to "submit for a time" to the humiliations of impressment and neutral inspection. Content with a few hostile words, they were satisfied for the time being to forget the Chesapeake attack.[12] Thus, moderation was advocated:

> [Instead of hasty measures] we would humbly recommend that the Administration prepare a full, circumstantial and accurate statement of the occurence . . . together with copies of the letters and other documents in relation to the deserters . . . . Let there in addition be an Appeal or Remonstrance [which] be explicit in its demand of restitution and redress . . . that there can be no appeal but to the sword, unless an acknowledgement of our wrongs is publikly made.[13]

The Repertory interpreted Commodore Barron's refusal to turn over the deserters to the Leopard as due to orders from the

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[11](from the preceding page)John Rutledge to Otis, August 3, 1807, Morison, I, 284.

[12]Edmund Quincy, The Life of Josiah Quincy of Massachusetts (Boston: 1867), p. 113.

[13]Boston Gazette, Thursday, July 9, 1807.

government, not because of "his characteristick civility . . . his sense of justice, and his disposition to be on friendly terms with all the English naval officers. . . ." which never would have permitted such a refusal otherwise.[14]

On the other side of public opinion was the Independent Chronicle, the leading Jeffersonian paper. It did not mince words in condemning the British attack as "as unparalleled instance of national barbarity."[15] It was the duty of every citizen, "let his political opinions be what they may, to evince by a manly voice the expression of an honest zeal - to rally round the constituted authorities, and give such support to their measures as may render them effectual."[16] Comparison to the American Revolution was used against the Federalists: "Our southern brethren sympathized with us when our port was shut up and cheerfully supplied our inhabitants with provisions . . . They did not receive our letters with a cold reluctance. How would the town of Boston feel on similar occasion."[17]

John Quincy Adams, Federalist Senator from Massachusetts, had recommended that "the principal Federalists of the town should take the lead in promoting a strong and clear expression

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[14] Reperatory, Friday, July 3, 1807.

[15] Independent Chronicle, Thursday, July 2, 1807.

[16] Ibid., Monday, July 6, 1807.

[17] Ibid., Monday, July 13, 1807.

of the sentiments of the people, and, in an open and freehearted manner, setting aside all party feelings, declare their determination . . . to support the government of their country."[18] The Federalist government of the city hesitated, however, to call a town meeting; and the initiative was grabbed by a small group of "the friends of Mr. Jefferson," who convoked an informal gathering at the state house on July 10. The attendance of less than two hundred was somewhat disappointing. The distinguished and elderly Elbridge Gerry, signer of the Declaration of Independence presided over the meeting. Five days earlier, Gerry had written that the public was indignant "by the repeated destruction of our unoffending seamen, if redress of the present and prevention for the future cannot be obtained, will not a state of warfare, be preferable to such a state of national insult and degredation."[19] Addressing the meeting, he declared: "I had hoped, at my period of life, to have been able to have retired from politics; but at a crisis so momentous and interesting to our beloved country, I hold it to be the duty of every citizen, though he may have but one day to life, to devote that day to the public good."[20] Under Gerry's leadership a committee

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[18]John Quincy Adams, "Reply to the Appeal of the Massachusetts Federalists," Documents Relating to New England Federalism: 1800-1815, ed. Henry Adams (Boston: 1877), p. 182.

[19]Gerry to Madison, July 5, 1807, Horsman, War of 1812, p. 103.

[20]American Citizen, Thursday, July 16, 1807.

was formed to draw up resolutions praising "the firm, dignified, and temperate policy adopted by our Executive at this momentous crisis." When it came to a choice between war or peace, it was resolved that:

> Although we unite with our government in wishing most ardently for peace on just and honorable terms, yet we are ready cheerfully to cooperate in any measures, however serious, which they may judge necessary for the safety and honor of our country, and will support them with our lives and fortunes.[21]

John Quincy Adams was one of the rising politicians in the early nineteenth century. Blessed with a distinguished family background and a good education, he quickly achieved prominence in New England politics. In 1807 he was serving as United States Senator from Massachusetts in the dwindling Federalist minority. He did not share the partisan and sectional politics of the Essex Junto, however; and, when the Chesapeake attack occurred, he defended the Administration. On July 9 he recommended to a Federalist friend that the party should hold a meeting protesting the attack; but a polite reply stated that the principal Federalists after consultation had denied the need of any assembly. Adams, therefore, attended the Republican meeting on the following day and served on the committee which drew up the resolutions mentioned above. As he later wrote, it was his attendance at this meeting which proved the occasion of

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[21] Massachusetts Spy, Wednesday, July 15, 1807.

his secession from his party. "It was done in broad and open day, with the public pledge of my name and before the face of my country."[22] On July 11 a Federalist friend upbraided him for this act of apostasy and officially notified him that he would no longer be considered as having any union with the party. The fact that the Federalists came out a few days later and formally reasserted the British right of demanding their nationals in American public vessels "was the cause, and not . . . the embargo . . . which alienated me from that day and for ever from the councils of the Federal party."[23]

The Federalists, however, soon realized their blunder in losing an opportunity to appear patriotic in the eyes of the public. Using the appeal of the Norfolk citizens for aid as an excuse, they convoked a public meeting for Thursday, July 16 in Faneuil Hall. It was the moderate faction of the party, however, that was the moving force behind this assembly. The Essex Junto and the other conservative leaders refused to attend the meeting.[24] Harrison Gray Otis, Christopher Gore, William Eustis, and others dominated the assembly. Adams, still in

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[22]Adams, "Reply," New England Federalism, 183. Cf. also Memoirs of John Quincy Adams, ed. Charles Francis Adams (12 vols.; Philadelphia: 1874-1877), I, 468, ft. 1. Also The Writings of John Quincy Adams, ed. Worthington C. Ford (7 vols.; New York: 1914), III, 161.

[23]Adams, "Reply," 181.

[24]Ibid., 186. Timothy Pickering and George Cabot were the leaders.

favor with the moderate faction, was selected chairman of the committee to prepare the resolutions, which were afterwards unanimously adopted and received the approval of the almost two thousand citizens present. One of these resolutions declared:

> That we most sincerely approve the Proclamation, and the firm and dispassionate course of policy pursued by the President of the United States; and we will cordially unite with our fellow citizens in affording effectual support to such measures, as our Government may further adopt in the present crisis of our affairs.[25]

It is also noteworthy that it was this meeting which separated the mass of moderate Federalists from the Essex Junto. Men like Gore, Otis, and Adams were willing to forget party lines in a crisis; but the Junto continued to defend Britain and make every effort to embarass Jefferson's Administration.[26]

Although the Federalists were carried along in the first surge of enthusiasm which swept the country, it did not take long for them to raise their voices in opposition to the general policies of the government and to defend British practices. The Repertory on July 10 declared that, should the Chesapeake deserters be proved to be Englishmen, the American government has no right to withhold them; moreover, the Leopard was completely justified in removing them, even by force.[27] Voices of dismay

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[25] Adams, Writings, III, 161-162.

[26] Morison, Life of Otis, I, 277-278.

[27] Repertory, Friday, July 10, 1807.

and unequivocal disapproval were raised in the same newspaper against a suggestion of the National Intelligencer of July 10 recommending that American merchants enforce a voluntary embargo against all British shipping in and out of the country. Such a suggestion, it was thought, came directly from the government.[28]

The Independent Chronicle went to the other extreme by declaring that the Federalists were boardering on treason: "When we read the Federal papers, it cannot be doubted whether we have a British faction in the bowels of the body politic. The city of London does not furnish so many advocates for British outrages on Americans as the town of Boston."[29] But the moderate Gazette, however, maintained that since the public outcry had died down, one could now pause and inquire "into the necessity, expediency, and utility of a war with England, without incurring a belief of deficiency in affection for the honor or interest of our country; or of a prejudice towards, or fear of, Great Britain."[30] The same paper detailed the policy of the moderate wing of the party:

> The federalists are for war with England, unless a full and ample attonement is made for the outrage lately committed. . . . This is more than is said in Mr. Jefferson's proclamation. The federalists are for war with

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[28] Ibid., Tuesday, July 21, 1807.

[29] Independent Chronicle, Monday, July 27, 1807.

[30] Boston Gazette, Monday, July 26, 1807.

> England, unless they renounce the right of searching our national ships, both on the high and in the narrow seas. . . . The federalists are for war with England, unless a fair and reciprocal interchange of good offices is manifested by her, both in the adoption of commercial regulations, and in the surrender of such impressed American seamen, as shall be claimed by our government.[31]

A statement of the reasons for the Federalist stand in favor of Great Britain was given by Josiah Quincy, Massachusetts Representative in Congress, and a leader in the moderate faction of the party. Speaking of the Federalists, he says:

> For Great Britain there was among them no predilection, but they regarded her as struggling alone against an attempt at universal empire. The measures she adopted were deemed by them irreconcilable with our rights, violent and autocratic, but by us, in our relative state of naval power, irresistable. True policy, they thought, required the United States not to aid the aggressive and ambitious belligerent, but to vindicate our independence against Britain by permitting the merchants to arm in the defence of commercial rights, and to take the risk of war. In this course they were far from unanimous. A majority preferred to take the chance of events, and to submit for a time to the injuries of both belligerents, rather than take part with either. The policy of the Administration . . . they detested, regarding it as self destructive. . . .[32]

This Federalist policy, however, was far from popular. Proof of this came in the 1807 elections some months later. The Federalists lost ground almost everywhere, yielded the Massachusetts governorship and legislature, leaving Connecticut's Governor Trumbull the only Federalist surviving in a major state state office. Jefferson's policy proved popular, and until

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[31] quoted in the Massachusetts Spy, Wednesday, July 29, 1807.

[32] Quincy, 114.

the Embargo of December that year, the fortunes of the Federalists continued to wane.[33]

When a meeting was summoned in Salem for July 10, the Salem Gazette, in keeping with the Federalist policy of avoiding mass public demonstrations, published a mild protest:

> We do not call in question the motives which dictated the warrant for this meeting; but we do think it on the whole unnecessary, as the government has no reason to doubt the support of the town of Salem to its constitutional measures; in injurious, as hereafter if the town does not assemble to express its approbation of any executive measure, the natural inference is, that we disapprove of it.[34]

In the next issue, however, the editor partially retracted his previous disapproval: "It was a pleasure to see it partake of a spirit of union, deliberation and firmness, which evince, that under whatever denominations of party we may be ranked . . . in the support of the national rights and honour, when attacked from without Americans are one."[35] This meeting pledged support of the government "to obtain redress for recent injuries, and to prevent the repetition of them in future; and we pledge our lives and fortunes to maintain our national rights from all infringement."[36]

Federalist criticism was also raised in the smaller towns.

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[33] John Truslow Adams, New England in the Republic, 248.

[34] Salem Gazette, Friday, July 10, 1807.

[35] Ibid., Tuesday, July 14, 1807.

[36] Ibid.

The Salem Gazette said that it was foolish for the poorly-armed inland militia to be exposed on the seacoast to the heavy guns and arms of the British fleets. Perhaps, it was claimed, "this may excite an inquiry, why the millions that have issued from an overflowing treasury for the purchase of useless wild lands, had not been expended in building ships, and raising fortifications . . ."[37] More criticism was levelled at the numerous public meetings. "The moderation of the meetings in Boston, Salem and Marblehead, forms a striking contrast with the warm language made use of by the people at the southwards." It was feared that these public meetings would influence the government and incline it towards war. But widespread public ignorance of the true causes of the conflict, coupled with the apparent unwillingness of the government to release any information, did not please the Federalists. "But as to the acts of these 'primary assemblies,' before the government calls for them, we apprehend they are more likely to do hurt than good."[38]

The confusion among the ranks of the Federalists can be seen from an issue of the Massachusetts Spy of Worcester. Side by side with articles by Federalists advocating peace and defending the right of the British is one from the Political Register which demands full retribution.[39] The Jeffersonian

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[37] Ibid. This was a typical Federalist criticism of the Louisiana Purchase.

[38] Ibid., July 14, 24, 1807.

Argus of Worcester chided the privileged status of the merchants: "We do not agree that they are more worthy of silicitude than the yeomanry who will till the ground to furnish us with the necessaries of life." War, it claimed, would aid only the merchants and seaports by enriching them, "as if the government was formed only for the protection of merchandize, and the treasury only filled that its contents may be applied in forwarding its prosperity."[40]

When the people of Marblehead met on July 11, they voiced high praise for Jefferson: "As we have ever approved the conduct of the President, we do particularly at this time applaud his spirit, in forbidding any intercourse with all armed ships of the British nation, and admire his magnanimity in allowing them shelter when in distress."[41]

New Hampshire and Vermont were not as dominated by Federalism as the seaboard states; but the party still had strength especially in the towns. An indication, however, of its waning power was expressed by William Plumer, who, up to this time, was one of the leading Federalist politicians in the state.[42] Plumer

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[39](from preceding page) Massachusetts Spy, Wednesday, August 5, 1807.

[40]National Aegis, Wednesday, July 22, 1807.

[41]Salem Gazette, Tuesday, July 14, 1807.

[42]William Plumer (1759-1850) was the leading Federalist organizer in New Hampshire prior to 1802 when he served in in the United States Senate until 1807. "He followed the or-

expressed his sentiments about the Chesapeake attack in a letter to his son: "If the British refuse or neglect full justice, I would then cut off all intercourse with that kingdom & her dependencies. I would go further, I would declare war. . . . we must avenge the insult & injury, or renounce the idea of being a nation."[43] This change in attitude towards Great Britain, like Adams, brought Plumer into conflict with the local party and helped towards an eventual rupture. His opinion of the British was now as critical as it had been towards France in 1798: "the haughtiness of that nation [Great Britain] induces me to think, she will not make those concessions, or that reparation which we are bound to demand, & therefore I judge it probable we shall have war."[44]

At Bennington, Vermont a town meeting was held on July 11 at the court house. It expressed its confidence in the actions of the government. Local unity was stressed, and Great Britain was censured:

> And while the citizens present have for a long time

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thodox Federalist course in politics, and his letters show that he had most of the prejudices but not the social intolerance of his party." By 1808, however, he had repudiated Federalism and supported Madison. He was governor in 1812 and from 1816 to 1819. William Robinson, Dictionary of American Biography, XV, 12-13.

[43] July 18, 1807. Lynn W. Turner, William Plumer of New Hampshire: 1759-1850 (Chapel Hill, N.C.: 1962), p. 180.

[44] Boston Gazette, Monday, July 13, 1807.

> witnessed with pleasure the mild and pacific measures of our government, to preserve peace and harmony between the United States and Great Britain, - we have noticed, with high sensibility that our patience and forbearance, under most aggravated injuries, have been treated with insult, until the cup of suffering has been drained to the dregs.[45]

In 1807 New England was still the stronghold of the merchant and the livelihood of many involved in foreign commerce. The Chesapeake attack, therefore, affected this section of the nation because of an almost immediate decline in foreign trade. The war scare and threats of British naval attacks left the merchants wary of sending their ships from port. It was difficult, moreover, to insure a cargo because of the unsettled atmosphere. The Gazette carried this advertisement soon after the attack:

> The serious occurence in the Chesapeake has materially affected the commercial trade and business of this place. Our Rates of Insurance are wholly nominal; -and the Prices of Merchandise were found too indefinite and unsteady to quote them with any confidence.[46]

The New York Price-Current commented: "From the unsettled state of our affairs at present, it is impossible to fix on the rate of insurance."[47] Even Jefferson admitted the existence of a voluntary embargo.[48] Taking advantage of a navy vessel departing

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[45] American Citizen, Friday, July 24, 1807.

[46] Boston Gazette, Monday, July 13, 1807.

[47] as quoted in the Salem Gazette, Friday, July 17, 1807.

[48] "The present alarm has had the effect of suspending our foreign commerce. No merchant ventures to send out a single vessel." Jefferson to James Bowdoin, Writings, ed. Ford, IX, 104-106.

for the Mediterranean, he took a final opportunity to request the American consul at Leghorn to send him three hundred bottles of Montepulciano wine and fifty pounds of "maccaroni" before all traffic stopped.[49] This situation continued for at least six weeks, for the Federalist United States Gazette of Philadelphia criticized the delaying action of the Administration for continuing to prolong the tense state:

> The merchant cannot send out his vessel, because he can get no insurance effected - the farmer cannot sell his grain, and if the present uncertainty and secrecy should continue for a few weeks, the mechanicks and farmers more immediately dependent on the merchant, will lose their accustomed and indispensable employment. . . .[50]

In addition to the public meetings and newspaper articles and editorials, the Chesapeake attack took on another reaction: the printing of pamphlets. One author comments that never before in American history had so many pamphlets appeared in so short a time.[51] Some expressed the Federalist view, while others defended the Administration; some advocated immediate war as the only answer to the impressment controversy, while others pleaded for peace and the continuation of peaceful relations.[52]

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[49]Jefferson to Thomas Appleton, July 9, 1807, quoted in Nathan Schachner, Thomas Jefferson (New York: 1960), p. 844.

[50]Connecticut Courant, Wednesday, August 26, 1807.

[51]John B. McMaster, A History of the People of the United States (8 vols.; New York: 1888-1913), III, 265.

[52]Some of these pamphlets were: Peace Without Dishonor

Many of these pamphlets are long and repetitious and need not be gone into except to show that they tried to present either the Federalist or Jeffersonian stand on the Chesapeake attack more from a theoretical than from the factual or popular point of view. For example, the Essay on the Rights and Duties of Nations by David Everett held that the British attack was outright piracy according to English Common Law; and the author, using Blackstone's Commentaries, shows that the statutes of Henry VII and George II condemned the very acts now practiced by the Royal Navy. "All this may be considered fair play on board a galley of Tripoli, and good law in the Bashaw's court. It is not so in any court of England."[53]

James Cheetham, editor of the New York American Citizen, published a pamphlet entitled Peace or War? or Thoughts on Our Affairs with England. In it he condemned impressment and claimed that, despite the pro-British "apoligists" in Boston, the Chesapeake attack was wrong even if the deserters were British. The inconsistency of the British claim of indelible

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War Without Hope, by a Yankee Farmer (Boston: 1807); The Voice of Truth, or, Thoughts on the Affair Between the Leopard and Chesapeake, (New York: 1807); War or no War? . . . , in two Letters by Lycurgus (New York: 1807); The Toscini or, the Call to Arms! (Charleston: 1807); An Examination of the Conduct of Great Britain Respecting Neutrals (Philadelphia: 1807); Thoughts Upon the Conduct of our Administration in Relation Both to Great Britain and Frence (Boston: 1808); The Trial of John Wilson . . . a Few Cursury Remarks (Boston: 1807).

[53]David Everett, Essay (Boston: 1807), p. 39. This appeared under the pseudonym of "by an American."

allegiance was shown by a quotation of Blackstone proving that Britain recognized the doctrine of naturalization in certain cases. Moreover, he continued:

> The fact that desertion, if not timely and rigorously checked, may ruin the British fleet, is one for the consideration of England alone, and she may therefore look to it; but although it be a self-evident truth, it does not follow that in the adoption and pursuit of preventive measures, she may of right and with impunity commit violence on the rights of other nations.[54]

Federalist pamphlets were just as aggressive in their defense of the British maritime prerogative as the Jeffersonians were in condemning it. A Letter Addressed to the Honorable James Madison strongly condemned the Administration's handling of the attack, especially in the issuance of the Proclamation of July 2. Although the anonymous author admitted that as an act of hostility against Britain in retaliation to the attack there is no complaint, "it is against giving that act of hostility the form of a Proclamation, and giving it the form of this proclamation that I protest."[55] Jefferson committed an act of hostility both to Great Britain and his own country:

> Intolerable, as it respects the court of London, because it assumes command over the naval force of Great Britain; discreditable, as it respects the United States, because it breathes a desire of despotism the most measurable, and is, at the same time, an assumption of

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[54] James Cheetham, Peace or War? or Thoughts on Our Affairs with England (New York: 1807), p. 15.

[55] Anonymous, A Letter Addressed to the Honorable James Madison (1808), p. 20.

authority, without the power to enforce it.[56]

The author concludes by saying that Great Britain will never offer full expiation for her crime as long as the Proclamation remains in force.

An Address to the Citizens of Massachusetts on the Causes Remedy of our National Distress approved of the virtue of patriotism but asserted that such a virtue became perverted and criminal when falsely directed. This pamphlet, printed after the Embargo, roundly condemns the government for having rejected atonement for the Chesapeake attack which the British offered immediately after. The British, it claimed, have consistently tried to make reparation, even to the extent of guaranteeing the safety of American public vessels in the future. Yet, the government rejected this and other peace offers of Great Britain and declared an embargo, which, in effect, will not harm Britain so much as it will aid Napoleon.[57]

John Quincy Adams' Letter to Harrison Gray Otis was really directed to the conservative Timothy Pickering. It is more a piece of electioneering propaganda, but it shows how certain segments of the nation were thinking at the time. It was

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[56] Ibid., 21.

[57] An Address to the Citizens of Massachusetts on the Causes and Remedy of our National Distress, by a Fellow-Sufferer (Boston: Repertory Office, 1808), 5-6. John Park (1775-1852), editor of the Repertory and member of the Essex Junto, was the supposed author.

published on March 31, 1808 in an attempt to defend his own position in favor of the Embargo and also to discredit Pickering's anglophile attitude. Adams claims that the anglophiles in the United States adhered so faithfully to the British official line that "complimentary letters were received from Admiral Berkeley highly approving the spirit in which they were inculcated. . . ."[58] Continuing distrust of Britain was prevalent among the leaders of the government:

> Although Admiral Berkeley may never have received written orders from them [the ministry] for his enterprise upon the Chesapeake, yet in giving his instructions to the squadron at Norfolk, he knew full well under that administration he was acting. Every measure of that administration towards us since that time has been directed to the same purpose - to break down the spirit of our national independence. Their purpose, as far as it can be collected from their acts, is to force us into war with them or with their enemies; to leave us only the bitter alternative of their vengeance of their protection.[59]

Thus the battle of the pamphlets continued. Many more, of course, were written; but all of them continue in the same vein as the above. What is interesting is that the pro-British essays had greater effect in the British Isles than at home. William Pinkney, ambassador extraordinary to Britain for the impressment issue, wrote to James Madison:

> I ought to remark, that a pamphlet, favorable to British pretensions, and decrying our own, is no sooner published in America than it finds its way across the

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[58] Adams to Harrison Gray Otis, March 31, 1808, Writings of John Quincy Adams, ed. Ford, III, 216.

[59] Ibid., 219-220.

> Atlantic, gets into general circulation here, and is quoted, praised and sometimes republished, whereas those of an opposite description either do not arrive at all, or come too late.[60]

In another letter he said: "I have read, not without indignation in American newspapers and pamphlets, that we are too feeble to assert our honor against the power of Great Britain, or to defend ourselves against her encroachments."[61] Thus the British attitude towards the United States was affected by these pamphlets and newspapers articles of the Federalists. It showed Foreign Secretary Canning that, despite the British attack, American factions still could not agree amongst themselves; and it gave him the false impression that there were more British sympathizers than actually existed.

In conclusion, New England produced a mixed reaction to the attack. From the mass of newspaper articles and pamphlets written in defense of the Federalist policy, one must not forget that the less articulate Jeffersonian farmer gave his quiet assurances of support to the Administration, not only through the many town meetings conducted throughout New England but also through the Democratic victories in the elections of 1807 and 1808.

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[60] Pinkney to Madison, December 21, 1807, Life, Writings and Speeches of William Pinkney, ed. Henry Wheaton (Baltimore: 1826), p. 74.

[61] Pinkney to Madison, December 31, 1807, Ibid., 76.

Chapter V

THE REST OF THE UNION

The reaction of the remaining parts of the United States to the Chesapeake attack cannot be related in such detail as the seaboard. One reason is that, with communication slow and some areas extremely remote from the scene of the attack, the news of the affair took almost a month to travel beyond the mountains to such places as Kentucky, St. Louis, and New Orleans. Moreover, the interests of the inland dwellers were different from their fellow-Americans on the seacoast. In many cases the Indian threat was present, and the British and Spanish were often suspected of being behind their restlessness. Finally, although the Federalists posed no political challenge, the westerner and southerner distrusted the politicians in the East, especially in the cities. Yet, from the scattering evidence it is evident that, even in the remote parts of the United States, similar reactions were recorded as in the East. It can also be noted that these responses are mingled with the local difficulties, fears, and problems of each section.

The first inaccurate news reached Kentucky around July 16. The Frankfort Western World somewhat apologetically told its

readers:

> To give place to the proceedings of every meeting of the citizens to consider this unexampled outrage, would be impossible - we shall therefore content ourselves with giving a few, and, conclude with saying, as with truth we may, that one universal buz of indignation resentment resounds from Maine to Georgia.[1]

The public meeting at Frankfort reassured their brethren on the Atlantic of their support and they "approved of the spirit of opposition to the acts of violence and hostility committed on American citizens and the flag of the United States by British subjects, manifested in the meetings of our Atlantic brethren."[2] The meeting at Harrodsburg in Mercer County in its fourth resolve expressed concern over the seeming increase of scheme and intrigues to divide the Union:

> We express our utter abhorrence of every scheme which has been or may be concerted to dismember any portion of our fair and happy government, pledging ourselves to detest as monsters and traitors all who shall have the temerity to meditate or execute schemes of disunion and partition.[3]

The citizens of Harrison County did not mince words in their resolutions:

> Resolved . . . and from all the circumstances attending the late bloody transaction, we believe it the secret order of the Cabinet of St. James. . . .
> Resolved, That we consider it a stroke at the vitals of our nation dignity and sovereignty - that vengeance ought not, cannot longer be restrained; and the laurels

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[1] Western World, Thursday, July 30, 1807.

[2] Ibid.

[3] Pallsdium, Thursday, August 13, 1807.

> acquired by our revolution would be tarnished, and we rendered unworthy the character of a free and sovereign people, longer to keep a friendly communication with Great Britain, or use temporizing measures.
>
> Resolved . . . if it were possible for them [the people of Norfolk] to have gained more applause, it would have been by conquering the insolent oppressor, and sinking his vessel who had the audacity to step his unhallowed foot upon our sacred shore, while his hands were still wreaking with the blood of our countrymen; and they may rest assured that although remotely situated from the scene of action, our feelings vibrate and our movements shall cooperate with theirs.[4]

The people of Middletown held a parade before their meeting, which formed, "perhaps the greatest collection [of people] ever known to the county." They stated "that when America either refuses or neglects to protect her citizens, and more especially those who have embarked in her service, she is no longer entitled to their confidence or allegiance."[5]

The citizens of Breckenridge County sent a letter to their Congressman which expressed concern over the unprepared state of defenses of their country. They do not criticize the government as Federalists, but as allies of the Administration giving their advice:

> The late insult on the flag and honor of our country, has awoke the nation from that torpor into which it has been brought by a false, ficticious, and delusive security; a security predicated on the supposed justice and reason of other nations. Were the world made up of monks and philosophers, such expectations might in a degree be verified; but as it is actually inhabited by being infinitely various in morals, motives and habits, and all led

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[4] Ibid.

[5] Ibid., Thursday, August 20, 1807.

> through the vast routine of action, by interest, by passion, and by folly, there elevated theories should be abandoned to philosophers and monks only, but never excused in a statesman. . . .
> [Therefore, we must have better defenses] The ships that lie wrecked on the falls of the Ohio [the Ohio River near Louisville], point out the channel to following navagators, and how will you be justified, if, in contempt to the experience of other times, you trust our defense to philosophy, or to untried experiments of gunboats, when you abound in all the means of giving us a permanent and well proved security.[6]

Kentucky responded to the President's call to arms: "It is hoped that the young men of this state will not submit to the degrading alternative of <u>getting off</u> by standing a draft, rather than having their names enrolled as volunteers, like patriots."[7] In Lexington, Captain Foley's company of riflemen and the Lexington Independent Light Infantry and Rifle companies unanimously volunteered their services to the governor.[8] Doctor Walter Warefield of Lexington received a commission from the governor to raise a regiment of volunteers; and "he pledged his honor, that he would, whenever ordered by our government, in case of a war . . . march to Canada and even to the plains of Abraham, if it should be necessary to do so."[9] At a meeting of the officers of the 8th, 10th, and 42nd Regiments of the militia on August 5 in Lexington, it was resolved:

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[6] <u>Western World</u>, Thursday, August 20, 1807.

[7] <u>Ibid</u>., Thursday, August 13, 1807.

[8] <u>Palladium</u>, Thursday, August 20, 1807.

[9] <u>Western World</u>, Thursday, August 13, 1807.

> That although the sweets of domestic life are dear to our hearts, yet we should prefer to spill the last drop of our blood in defence of the liberties of our country, and that our bones should bleach on the plains of Canada and the distant shores of Nova Scotia, before such flagrant outrages committed on our national rights shall pass without that chastisement which they deserve.
>
> That we are ready, at a moment's warning, to march to the most distant quarter of the American empire; and, like our fathers, to meet the enemy at the water edge - and we trust and hope in God to be enabled to convince the British government that the nation which was once in the "gristle," is now possessed of the full vigor of mature age.[10]

Farther to the north, in the Northwest Territory, the white settlers were becoming alarmed over Indian unrest. Word of the possibility of war between Great Britain and America filtered through to the Indians; and there was a growing hope among them that the expanding American frontier could be halted by another alliance with their old "white father." The Americans, however, suspected British meddling with the Indians, so much so that Governor William Harrison of Indiana Territory wrote on September 5 that the "Indian attack was only waiting for the signal from British agents."[11] Signs of increasing tension were reported in a Pittsburgh paper of July 28 which stated that "British merchants at Michillimakinac refuse purchasing any articles of country produce from Americans and are preparing to remove their effects from our territory." The same report added

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[10] Ibid., Thursday, August 13, 1807.

[11] Alfred LeRoy Burt, The United States, Great Britain and British North America, 245-246.

that increasing Indian restlessness has made the road from Chicago to Detroit unsafe for travel.[12]

In Indiana Territory Governor Harrison sent a message to the Territorial Legislature in which he devoted a large section to his views on the Chesapeake attack. After giving a brief account of the attack and reporting the reaction of the seaboard, he added:

> We are, indeed, from our situation, peculiarly interested in the contest which is likely to ensue; for who does not know that the tomahawk and scalping knife of the savage are always employed as the instruments of British vengeance. At this moment, fellow citizens, as I believe, their agents are organizing a combination amongst the Indians within our limits, for the purposes of assassination and murder. . . .[13]

On the following day the legislature answered the Governor's message and promised to help the government:

> Suffer us to assure you, sir, that but one sentiment animates the representatives of the sons of Indiana, who esteem themselves heirs to freedom; and until the last drop of blood shall be drained from our hearts, we will defend ourselves, our rising posterity, and the freedom of America.[14]

Governor Harrison convened the French inhabitants of Vincennes for a public meeting on September 18 to procure their support of the government. Addressing the meeting,

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[12] quoted in NewPort Mercury, Saturday, August 22, 1807.

[13] "Harrison's Message to the Indiana Legislature, August 17, 1807," Messages and Letters of William Henry Harrison (as Governor of Indiana Territory), ed. Logan Esarey (2 vols.; Indianapolis: 1922), I, 235.

[14] Ibid., 236-237.

Harrison pointed out the attempts of the British to prejudice the Indians against the Americans, and he "strongly urged them to detect, and to communicate to him, the names of any persons of that description which might come to their knowledge." Some of his remarks were made in the belief that some British sympathizers might be living in the French community, and might have some influence upon the inhabitants who had changed allegiance three times within two generations. The secretary of the meeting, a Scotsman by the name of William McIntosh, took offense at these words of Harrison. Impressing his fellow-citizens that the Governor was questioning their patriotism, he induced some of them to step forward in their vindication. This misunderstanding was soon settled, however, and the general meeting settled down to business.[15] They assured Harrison and "through him the General Government, that our attachment and Fidelity to the United States are sincere, strong and permanent." They expressed their surprise and hurt feelings

> that there appears to exist in the mind of the Governor suspicions of our Patroitism and Fidelity to the United States. That under such circumstances a recurrence to the evidence of facts in the past conduct of the French Inhabitants of Vincennes will furnish the strongest arguments and proofs in our power to adduce to remove such injurious suspicions if they realy exist.

There followed a long and detailed summary of proofs of the loyalty of these frontiersmen.[16]

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[15] quoted in Ibid., 257, ft. 5.

[16] Ibid., 256-259.

Moving to the South we come across another interesting document: A Declaration of the People of Washington County, Mississippi, on the Subject of British Aggressions.[17] This isolated frontier community on the Mississippi River near the present site of Vicksburg was alarmed at the fact that "Great Britain or any other nation [could] come at pleasure into our territory, and lay hold of whomsoever she pleases." They hinted that if the United States would not uphold her rights in this case, they would grow slack on the enroachments of the Spanish in Florida and her intrigues among the southern Indian tribes.

> We think and feel on the occasion as every American thinks and feels. We despise the bully and coward who, as captain of the Leopard, was the instrument of exhibiting the enormous extent of the claims of the pretended mistress of the Ocean. But our attention is in an instant drawn from him to ourselves and our own situation. Is national independence a dream?[18]

They suggested a five year non-intercourse with Britain. This "will establish the manufactures of America on a foundation which no return of peace will ever shake." Moreover, such an embargo will teach Britain a lesson, for the "British navy, if Britain and her navy should continue to exist, will at length find that her tyranny on the ocean has given commercial independence to those confederated states which British tyranny

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[17] printed in The Magazine of History with Notes and Queries (Terrytown, New York) Vol. XXVII (September, 1925), 211-215.

[18] Ibid., 211.

on the land first led to political independence."[19]

In Louisiana, Governor Bates wrote to the Secretary of State: "On this remote frontier, we partake in the fervors of our Atlantic Countrymen; and should the occasion present itself, would, I am persuaded, shew ourselves Americans, as well in conduct as in profession."[20]

This brief account of the public reaction to the Chesapeake attack in the West and South, although sketchy, nevertheless indicates that war fears and other more peculiarly local problems were augmented by the outrage and that the people gave their support to the government.

Public meetings were also held in all of the ports on the South Atlantic coast. At Savannah, an assembly demanded that actual preparations for war be started; and the state purchased ten thousand stand of arms, twelve field pieces, seven hundred horsemans' pistols and other military equipment. Soon afterwards, one local citizen by the name of Elford was arrested for having attempted to supply a British ship in the harbor with several casks of water.[21]

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[19] Ibid., 213.

[20] Bates to Madison, August 8, 1807, The Territory of Louisiana-Missouri: 1806-1816, ed. Clarence Edwin Carter, Vol. XIV of The Territorial Papers of the United States (Washington: 1949), p. 140.

[21] Republican and Savannah Evening, August 6, 20, 1807, quoted in Thomas Abernethy, The South in the New Nation (Baton Rouge: 1961), p. 317.

On July 8 a public meeting convened in Cherleston, South Carolina under the leadership of General C.C. Pinckney and Philip Freneau. Debating the advisability of fortifying the harbor and of raising private or public subscriptions for financing this project, it finally resolved to appoint a committee to "call upon the citizens of the state [if necessary] for a subscription in aid of the contingent fund, to carry the resolves into full effect." These resolves referred to the raising and arming of the militia and the strengthening of the fort.[22]

Among the resolutions adopted at this meeting was one recommending that the inhabitants wear a thin piece of black crape around their arm for ten days to honor the memory of those killed on the Chesapeake. A visitor from Scotland who was in town thought this display of patriotism quite a sport; and he decided to have a little fun. Tying a piece of this crape around the leg of his dog, he went for an afternoon stroll in the Charleston streets. This, however, was no sooner observed by the populace than a mob of citizens, enraged and insulted by this mockery of what they considered sacred, seized the "presumptuous Scotchman, carried him to a pump, and rewarded him for his insolence by a most plentiful ducking."[23]

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[22] American Citizen, Saturday, July 25, 1807.

[23] Independent Chronicle, Monday, July 27, 1807.

The Masters of the vessels in the port of Charleston volunteered their services to Jefferson; and the President replied that "should the outrages lately committed by the agents of a foreign power . . . extend themselves to your port, your services will be valuable towards its security."[24] John Rutledge wrote that support must be given to the government: "With our Commerce so extended as it is, & our Keels fretting every sea, we must have a navy; & that will be impossible if our Ships of war are to be searched - we must kick against this & fight against it . . . ."[25]

From his home in Buch Spring, North Carolina, Nathanial Macon wrote to Albert Gallatin: "The attack . . . has much irritated every one here, and all are anxious to learn what the President intends to do."[26] A meeting at Shell Castle, North Carolina addressed the following to Jefferson: "We have no feelings to induce us to withhold our sentiments on the insults and injuries - violation of every principle which unite friendly nations together . . . which have marked the conduct of that

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[24]Jefferson to the Masters, July 30, 1807, Writings, ed. Washington, V, 147.

[25]Rutledge to Harrison Gray Otis, August 3, 1807, Morison, Life and Letters, I, 284.

[26]Macon to Gallatin, July 12, 1807, Henry Adams, Life of Albert Gallatin (Philadelphia: 1880), p. 359. Nathanial Macon (1758-1837), revolutionary soldier, was speaker of the House of Representatives from 1801 to 1807. Later, he became Senator from North Carolina.

haughty, imperious and tyrannic government of England towards us."[27]

This concludes our survey of different regions of the country and the various reactions to the Chesapeake attack. In a day when communication was slow and publicity scant, all records show that the people of the United States rallied to their flag and their government as never before since the Revolution. As the Washington Federalist stated on July 1:

> We have never, on any occasion, witnessed the spirit of the people excited to so great a degree of indignation, or such a thrill for revenge . . . . All parties, ranks and professions were unanimous in their detestation of the dastardly deed . . . . The accounts which we receive from every quarter tend to shew that these sentiments universally prevail.[28]

James Madison wrote to James Monroe on July 6: "The printed papers, herewith sent, will enable you to judge of the spirit which has been roused by the occasion. It pervades the whole community, is abolishing the distinctions of party. . . ."[29] The British Minister, David Erskine, wrote to his Foreign Secretary George Canning on July 12 that even the "most temperate people and those most attached to England say that they are bound as a nation and that they must assert their honor on the

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[27] American Citizen, Monday, August 17, 1807.

[28] quoted in Newport Mercury, Saturday, July 11, 1807.

[29] Madison to Monroe, July 6, 1807, Writings of James Madison, ed. Gailliard Hunt (9 vols.; New York: 1900-1910), VII, 455.

first attack upon it, or subject themselves to an imputation which it may be difficult ever to remove."[30] Four days later he again wrote that "The ferment in the public mind has not yet subsided, and I am confirmed in the opinion . . . that this country will engage in war rather than submit to their national armed ships being forcibly searched on the high seas."[31]

However, like most events which arouse the national fervor overnight and die out as quickly, in the case of the Chesapeake this is also true. The French Minister Turreau reported at the beginning of September his disgust at the "fear and servile deference" shown Britain. Joseph Nicholson wrote to Gallatin, his brother-in-law, that "the public mind has been suffered to brood so long . . . that I fear its ardor is cooling down. Spirit however enough is left to blaze, when the constituted authorities will blow the coals."[32]

Before we investigate the reaction of the Federal Government it might be appropriate to view another effect of the attack, which, in many ways, was unfortunate since it did not add to the reputation of the Navy nor in general to the handling of military affairs by the government. While most of the newspapers

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[30] Erskine to Canning, July 17, 1807, quoted in Burt, The United States, Great Britain, and British North America, 243

[31] Erskine to Canning, July 21, 1807, quoted in Adams, History, IV, 37.

[32] Perkins, 144. The latter quotation is taken from Nicholson to Gallatin, September 10, 1807.

defended Commodore James Barron for his handling of the Chesapeake when under attack by the Leopard, some of his subordinate officers did not agree. They sent a letter[33] to Secretary of the Navy Robert Smith asking for a board of inquity into Barron's conduct; and they pledged that they would prove conclusively that the failure of the Chesapeake under fire was due to the negligence and hesitancy of her commander. One author proposes that the reason why these five or six petty officers "impeached" Barron was that they were afraid that the fury of the populace would "wreck revenge" upon the ship's crew, since the public

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[33]The letter reads as follows:

Late U.S. Ship Chesapeake,
Hampton Roads, June 23, 1807.

SIR,

The undersigned, Officers of the late United States Ship Chesapeake, feeling deeply sensible of the disgrace which must be attached to the late (in their opinion) premature surrender of the United States ship Chesapeake of 40 guns, to the English ship of war Leopard of 50 guns, without their previous knowledge, or consent, and desirous of proving to their country and the world, that it was the wish of all the undersigned to have rendered themselves worthy of the flag under which they had the honor to serve, by a determined resistance to an unjust demand do request the Hon. the Secretary of the Navy to order a court in enquiry into their conduct. At the same time they are compelled by imperious duty, by the honor of their flag, by the honor of their countrymen . . . to request that an order be issued for the arrest of Commodore James Barron, on the charges herewith exhibited, which the undersigned pledge themselves to prove true, viz.

1st. On the probability of an engagement, for neglecting to clear his ship for action. 2dly. For not doing his utmost to take or destroy a vessel which we conceive is his duty to have done.

With the highest respect, we subscribe ourselves, your most obedient servants, Ben. Smith, Wm. Crane, W.H. Allen, S. Orde Creighton, and Sidney Smith. Newport Mercury, Saturday, July 11, 1807.

knew that redress from the real offender, Great Britain, would probably not be forthcoming.[34] This sounds plausible especially when the short interval between the attack and officers' letter is considered. Almost every newspaper in the country carried this letter. Evidently, it was released by Secretary Smith who hoped to avert any blame for the ship's unpreparedness from falling on the Navy Department. Barron, consequently, was removed immediately from his command and court-martialed the following January aboard the Chesapeake, an indirect victim of public opinion.[35]

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[34] Watson, The Tragic Career of . . . Barron, 24.

[35] Barron was acquitted of all charges of cowardice and of prematurely surrendering his ship, but was found guilty on a technical matter: "neglecting, on the probability of an engagement, to clear his ship for action," for which he received five years suspension without pay. Ibid., 43.

Chapter VI

THE REACTION OF THE GOVERNMENT

A comprehensive study of the Chesapeake would be incomplete if limited to its effect upon the American public. Perhaps of even greater importance is its effect upon the American government, especially regarding its policy towards Great Britain. Of almost equal significance at the time, but not of lasting importance, is the attitude that the Administration of Thomas Jefferson had towards the outburst of public opinion.

Thomas Jefferson responded very quickly. The Washington Federalist reported on the 27th that a skeleton cabinet meeting had been held upon the arrival of the news from Norfolk on Thursday evening, the 25th, although some of its members were absent.[1] Rumors were circulating that Congress would be summoned immediately for an emergency session. Turreau the French Minister reported to Talleyrand that Jefferson had exclaimed: "If the English do not give us satisfaction we demand, we will take Canada . . . and when, together with Canada, we shall have the Floridas, we shall no longer have any

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[1] Independent Chronicle, Monday, July 6, 1807. Secretary of the Treasury, Albert Gallatin, and the Secretary at War, Henry Dearborn, were in New York.

difficulties with our neighbors; and it is the only way of preventing them."[2]

Jefferson, however, did not desire war at this time. Realizing that the nation was justifiably angry, he feared that in her anger immediate war would be demanded. Turreau reported that "the President does not want war, and . . . Mr. Madison dreads it now still more."[3] As early as June 29 the Executive was hoping that this crisis could be settled without war, yet leaving the final decision to Congress:

> I have asked their [the Cabinet's] immediate presence here, and I expect them this day. We shall then determine on the course which the exigency and our constitutional powers call for; whether this outrage is a proper cause of war, belonging exclusively to Congress, it is our duty not to commit them by doing anything which would have to be retracted. We may, however, exercise the powers entrusted to us for preventing future insults within our harbors, and claim firmly satisfaction for the past. This will leave Congress free to decide whether war is the most efficacious mode of redress in our case, or whether, having taught so many other useful lessons to Europe, we may not add that of showing them that there are peaceable means of repressing injustice, by making it the interest of the aggressor to do what is just, and abstain from future wrong.[4]

The President outlined his basic course of action which he tried to follow during the coming weeks:

> We act on these principles, 1. That the usage of

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[2]Turreau to Tallyrand, July 18, 1807, quoted in Adams, History, IV, 35-37.

[3]Ibid.

[4]Jefferson to Governor Cabell, June 29, 1807, Writings, ed. Washington, V, 115.

> nations requires that we shall give the offender an opportunity of making reparation & avoiding war. 2. That we should give time to our merchants to get in their property & vessels & our seamen now afloat. And 3. That the power of declaring war being with the Legislature, the executive should do nothing, necessarily committing them to decide for war in preference of non-intercourse, which will be preferred by a great many. They will be called in time to receive the answer from Great Britain, unless new occurrences should render it necessary to call them sooner.[5]

He was not content, however, to wait until a full Cabinet meeting or the next session of Congress for action.[6]

While Jefferson was waiting for the Cabinet members to assemble in Washington, he was busy drafting a Proclamation in retaliation against the British Navy. This document[7] which was later approved by the Cabinet and published on July 2 recites the hostile acts of the British against the United States on the high seas; and it asserts the unwillingness of their government to provide a workable agreement. Moreover, the United States had permitted British warships to use her harbors as a source of supplies; but under such ingratitude American "hos-

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[5]Jefferson to George Clinton (the Vice-President), July 6, 1807, Writings, ed. Ford, IX, 100-101.

[6]One of Jefferson's first acts after he learned of the attack was the appointment of Commodore Stephen Decatur, Naval Commander in Norfolk, to the command of the Chesapeake, replacing Commodore Barron. Jefferson stated in his letter to Governor Cabell (Ibid) that Captain Charles Gordon, the second in command on the Chesapeake had arrived in Washington with details of the attack. This, no doubt, aided Jefferson's decision to remove Barron. Newport Mercury, Saturday, July 4, 1807.

[7]This text is taken from the Boston Gazette, Thursday, July 9, 1807. The full text is provided in Appendix I.

pitality . . . ceases to be a duty." Using his authority as commander-in-chief of the nation, Jefferson ordered all British warships from American territorial waters and prohibited American intercourse with or supplying any ships that refused to depart. Those aiding the British "shall on conviction suffer all the pains and penalties by laws provided for such offenses." This document is long and sententious and lacks the sharp vigor needed in a retaliatory document; but it temporarily satisfied the American public. The precedent for such a proclamation had been provided in the Leander incident the previous year, although on a limited scale.[8]

The entire Cabinet finally met on July 2. It approved the Proclamation; it agreed with the President that navy gunboats should be ordered to strategic points along the coast and that an additional fifty should be built; it ordered the repair of seaboard fortifications and the erection of new ones where necessary;[9] and it drew up the demands which would be presented to Great Britain. These demands, which later became United States Policy, were ably expressed by the Secretary of State:

> The nature and extent of the satisfaction ought to be suggested to the British government, not less by a sense of its own honor than by justice to that of the United States. A formal disavowal of the deed, and restoration of the four seamen to the ship from which they were taken, are things of course indispensable. As a

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[8] Cf. Chapter I.

[9] Independent Chronicle, Thursday, July 16, 1807.

> security for the future, an entire abolition of impressments from vessels under the flag of the United States, if not already arranged, is also to make an indispensable part of the treaty.[10]

These diplomatic instructions were to be transmitted to London by a special envoy in the government schooner, Revenge. As we shall see later, the Revenge waited in Baltimore for more than three weeks before sailing.

The Cabinet met again on July 4 and decided to call Congress for the fourth Monday in October. Speculation and wild rumors had been spreading that Congress would meet in July.[11] The "War Hawks" were destined to be disappointed at this time because Jefferson knew that an immediate summons so soon after the attack might result in a declaration of war, but if postponed it might assemble under less popular pressure and would be able to consider saner measures.[12] The President was trying all means short of war, even non-intercourse, to demand just retribution; but all action would be left to the decision of Congress.[13]

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[10] Madison to James Monroe, July 6, 1807, American State Papers: Foreign Affairs (Washington: 1832), III, 184.

[11] Aurora, Wednesday, July 1, 1807.

[12] Adams, History, IV, 31-34. Secretary of the Navy, Robert Smith, was alone in openly wanting an immediate summons, although Gallatin secretly hoped that Congress would meet before October. Schachner, 1033, note 20.

[13] Jefferson to Mr. Bowdoin, July 10, 1807, Writings, ed. Washington, V, 123.

Before the Cabinet met again, news reached Washington of the menacing letters of Captain Douglas to the Mayor of Norfolk, threatening blockade and invasion.[14] The possibility of foreign aggression demanded immediate action by the executive since Congress was not in session. Consequently, a letter was sent to the governor of every state ordering the militia to be organized and ready for "service at the shortest warning, but that they be not actually called out until further requisition."[15] The government planned to use the militia in place of regular troops in the event of war until such time as a regular force could be established and trained.[16] The quota was set at one hundred thousand men and divided between the states according to population. Furthermore, to begin the work of fortifying strategic ports, Henry Dearborn was sent to New York to prepare that harbor, since it would be a prime target of a British offensive.

President Jefferson wanted to stall for time. He knew that the British did not desire war with the United States as long as the Napoleonic wars continued. An immediate declaration of war by America would be foolish: "Both reason & the usage of

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[14] Cf. Chapter II.

[15] Jefferson to Governor Cabell, July 8, 1807, Writings, ed. Ford, LX, 98.

[16] "War Department Circular," August 3, 1807, American Citizen, Monday, July 17, 1807.

nations required we should give Gr. Britain an opportunity of disavowing & repairing the insult of their officers."[17] Should the situation around Norfolk erupt into shooting, even then war could be avoided "if their government is just."[18]

His confidence in Great Britain did not last long, however, for with the new insults from the British fleets the general tone in his letters sharpens considerably: "Should that country have the good sense to do us ample justice, it will be a war saved. But I do not expect it, and every preparation therefore is going on & will continue. . . ."[19] He desired to avoid war for the present in the hope that American military strength would be better prepared when the war started. Writing to Governor Cabell on July 24, he stated:

> It was necessary too for our own interests afloat on the ocean & under the grasp of our adversary [to avoid war]; and, added to all this Great Britain was ready armed & on our lines, while we were taken by surprise, in all the confidence of a state of peace, & needing time to get our means into activity. These considerations render it still useful that we should avoid every act which may precipitate immediate & general war, or in any way shorten the interval so necessary for our own purposes. . . .[20]

He wrote on August 1 that, "though in the first moments of the

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[17]Jefferson to Thomas Cooper, July 9, 1807, Writings, ed. Ford, IX, 102.

[18]Jefferson to Barnabas Bidwell, July 11, 1807, Ibid., 106-107.

[19]Jefferson to John W. Eppes, July 12, 1807, Ibid., 107-109.

[20]Jefferson to Cabell, July 24, 1807, Ibid., 89-90.

outrage on the Chesapeake I did not suppose it [the attack] was by authority from their government, I now more and more suspect it."[21] A month later he said that "perhaps no ministry [in Great Britain] . . . will in my opinion give us the necessary assurance respecting our flag. In that case, it must bring on a war soon, and if so, it can never be in a better time for us."[22]

Other members of the Jefferson Cabinet were also convinced that war between the United States and Great Britain was inevitable. Robert Smith desired an immediate summons of Congress to meet the crisis.[23] Albert Gallatin wrote to his brother-in-law, Joseph Nicholson, that a war could not be avoided. Speculating on the financial aspect of a possible war, he concludes: "Having considered from the first moment war as a result, and the preliminaries appearing to me but matters of form, my faculties have been exclusively applied to the preparations necessary to meet the times."[24] The Secretary of the Treasury confided to his wife that he had wanted an earlier meeting of Congress to place the country on a war basis, since

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[21] Jefferson to Colonel Taylor, August 1, 1807, Writings, ed. Washington, V, 149.

[22] Jefferson to Robert Smith, September 3, 1807, Writings, ed. Ford, IX, 135-136.

[23] Schachner, 1033, ft. 20.

[24] Gallatin to Nicholson, July 17, 1807, The Writings of Albert Gallatin, (Philadelphia: 1879) ed. Henry Adams, 338.

the needed appropriations could only come from that body: "On the last point [preparing for a war] I doubt, between ourselves, whether everything shall be done which ought to be done. And for that reason alone I wish that Congress may be called sometime earlier than is now intended."[25]

The government, however, was preparing the nation for war. Jefferson asked Gallatin to give him estimates on the cost of a defensive combat. Dearborn submitted a plan for a regular army and system of fortifications.[26] The Governor of Virginia, William Cabell maintained a steady correspondence with the White House on the military situation in the Chesapeake area; and Jefferson did not hesitate to offer suggestions, plans, and criticisms, although Cabell was given a free hand. The President promoted new and different military methods. Writing to Robert Fulton, he said: "I have ever looked to the submirine [sic] boat as most to be depended on for attaching [torpedoes]."[27]

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[25]Gallatin to his Wife, July 10, 1807, Henry Adams, Life of Albert Gallatin (Philadelphia: 1880), p. 357.

[26]"Genl. Dearborne has sent me a plan of a war establishment for 15,000 regulars for garrisons & instead of 15,000 others, as a disposable force, to substitute 32,000 twelve-month volunteers, to be exercised & paid 3 months in the year, and consequently costing no more than 8000 permanent, giving us the benefit of 32,000 for any expedition, who would be themselves nearly equal to regulars, but could on occasion be put into the garrisons & the regulars employed in the expedition prima facie. I like it well." Jefferson to Madison, August 9, 1807, Writings, ed. Ford, IX, 122-123.

[27]Jefferson to Robert Fulton, August 16, 1807, Writings, ed. Washington, V, 165.

It is interesting to note that, as much as Jefferson wanted the Proclamation rigorously enforced, he nonetheless was prepared to make exceptions to the general policy in the interests of preserving peace until definite word came from London. As previously mentioned,[28] when five British sailors landed for supplies in the Lynnhaven Bay area and were captured by the Virginia militia, the Executive vetoed the Virginia General Council and ordered their release: "If we restore them it will be an act of favor, and not of any right they can urge."[29] Another instance occurred in August when the frigate Columbine asked to be provisioned for a trip of ten days. Jefferson wrote to Madison:

> Altho' there is neither candor nor dignity in soliciting the victualling of the Columbine for 4 months for a voyage of 10 days, yet I think you had better give the permission. It is not by these huckstering manoeuvres that the great national question is to be settled.[30]

Writing to Governor Cabell, he said: "these small distresses contribute nothing to the bringing an enemy to reason. It should not be till an abuse of this liberality has taken place, that we should be rigorous in the quantum of supplies."[31]

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[28] Cf. Chapter 2.

[29] Jefferson to Governor Cabell, July 24, 1807, Writings, ed. Ford, IX, 89-90.

[30] Jefferson to Madison, August 18, 1807, Ibid., 126-127.

[31] Jefferson to Governor Cabell, August 19, 1807, Writings, ed. Washington, V, 170-171.

Finally, in September a few British warships entered New York harbor. As to whether these vessels should have been forcibly expelled or not, Jefferson instructed:

> You remember that the orders to Decatur [in June when the British were in the Lynnhaven Bay area] were to leave the British ships unmolested as long as they laid quiet in the Bay; but if they should attempt to enter Elizabeth river to attack them with all his force. The spirit of these orders should, I think, be applied to New York. So long as the British vessels merely enter the Hook, or remain quiet there, I would not precipitate hostilities.[32]

The President, although thinking in terms of an eventual war, was not willing to let these small incidents provide the starting point. He would await the return of the Revenge with the British Government's reaction.

While the United States was girding for war, we might ask what course of action Washington was taking towards Great Britain. The Administration had decided its policy in the Cabinet meeting on July 2, demanding a formal disavowal of the deed, the dismissal of Berkeley, the return of the four seamen, and the ending of impressment. When the Monroe-Pinkney Treaty of 1806 had arrived in Washington, it had not been submitted to Congress because it had failed to include any provisions for the cessation of impressment. But now that the sovereignty of the United States had been slighted, the Administration decided

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[32]Jefferson to Robert Smith, September 18, 1807, Ibid., 196.

that the opportunity was at hand to demand positive promises from the British concerning impressment. It was thought that the British would now have no choice but to decide definitely one way or the other. In accordance with this policy, Secretary of State Madison wrote his official instructions on July 6 to the American Minister in London, James Monroe. In them he declared that "This enormity is not a subject for discussion." Monroe was told that the British were to be reminded of their past misdeeds and that his guide in this case would be Jefferson's Proclamation. The demands which he was to make of the British were simple enough: a disavowal of the deed and the restoration of the four seamen in addition to a formal promise that impressments would cease. Should any of these be denied:

> It will be incumbent on you to take the proper measures for hastening home, according to the degree of urgency, All American vessels remaining in British ports; using for the purpose the mode least likely to awaken the attention of the British Government.[33]

If the British should fail to comply with these instructions, then the only choice remaining is "to resort to means depending upon the United States alone."

On July 17, Madison reminded Monroe that on the present occasion it would be fitting "to bring these collective outrages

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[33]Madison to Monroe, July 6, 1807, The Writings of James Madison, ed. Gaillard Hunt (9 vols.; New York: 1900-1910), VII, 458. Selections from this letter can be found in Appendix III.

into view; and give them all the force they ought to have not only in augmenting reparation for the past, but in producing securities for the future."[34] The Administration was not content with asking for reparation for the Chesapeake attack or the abolishment of impressment, but was also bringing up all the minor violations of American neutrality committed by the British in previous years.

These instructions lay on Madison's desk for three weeks before the Revenge sailed from Baltimore at the end of July. Why the long delay, if the matter was so urgent? One author suggests that perhaps Jefferson wanted the American public opinion, which was vehement in its denuntiation of the attack, to accompany the official letter.[35] This, it was hoped, would

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[34]Madison to Monroe, July 17, 1807, Ibid., 464. Some of these "outrages" were explained: "The enormities superadded to all that have gone before . . . to say nothing of British violences against our vessels in foreign ports, as in Lisbon and Canton, form a mass of injuries and provocations which have justly excited the indignant feelings of the nation and severely tried the patience of the government." Ibid.

[35]Perkins explains this delay: "Perhaps the Administration delayed so that the demands could travel in company with reports of angry outbursts from all parts of the Union, thus showing the British government that a united people was ready for war. Even then England was unlikely to be panicked into concession, for the President's proclamation had shown that the executive, at least, still hoped to preserve peace. Far more probably, Jefferson and his subordinates expected to be able to maintain national unity for months and decided to use it as a weapon for forcing affairs with England to a climax. If the ministry proved stubborn, they believed, the American people would endorse resistance more vigorously than when it could be argued that Berkeley spoke for no one but his cantankerous self." 146.

add weight to the formal demands. Yet, it was forgotten that the British government might receive news of the attack weeks before Monroe; and that the American minister would not have any accurate report of the outrage from the American viewpoint to answer the British ministers. This is exactly what happened. The news reached London about the time that the Revenge sailed; and Monroe was immediately placed on the defensive, thus removing the possible weight of American public opinion to make the British meet American demands.

It was also unfortunate that the Administration united the demand for disavowal and reparation with the whole controversy of impressment. Although in the minds of Americans the Chesapeake attack was just an extreme example of impressment, it was not viewed as such by the British. This proved to be the obstacle which prevented the reparations issue from being settled; for, although willing to make reparations,[36] the British were not willing to give up what they considered to be of paramount importance to the maintenance of their navy. Canning declared that the Crown had never commanded that a foreign warship be

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[36]"In disavowing the deed, the government went against public opinion in Britain." Bradford Perkins, "George Canning, Great Britain, and the United States, 1807-1809," American Historical Review, Vol. LXIII, No. 1 (October, 1957), p. 4 "If they had taken our attonement by itself, as we had offered it, they would have appeared to gain something. But they have so managed Matters that we shall now appear to bully them even in making reparations. Nothing could be more advantageous for us than the course which they have taken." Canning to Lord Boringdon, September 30, 1807, Ibid., p. 6.

searched, unlike merchant vessels. British deserters engaged in American warships entered into a contract with the American government, which was not the case in privately-owned merchant ships. This affair, he declared, was wholly unconnected with the impressment issue.[37] Monroe, however, strictly adhered to his instructions; and negotiations ended without result. Had the government not made the cessation of impressment necessary before reparations could be settled and had they not cluttered the demands with the small British violations, the Chesapeake affair would have been concluded before the end of the year.[38]

Jefferson's confidence that Britain would meet American demands was founded principally upon American public opinion. The many letters from the various meetings and militia gatherings coming to the White House pleased Jefferson and gave him the impression that the country would back him in almost any policy he might choose, short of total surrender. He wrote:

> I am much pleased with the ardor displayed by our countrymen on the late British outrage. It gives us the more confidence of support in the demand of reparation

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[37] Canning to Monroe, September 30, 1807, American State Papers, III, 200-201.

[38] John Quincy Adams, a prominent Jeffersonian supporter, differed from the Administration regarding the question of impressments and reparation: "You know that I was as averse to the encouragements or enlistment of deserters, as the warmest friend to the British navy could possibly be; and that I thought our government ought to keep this identical outrage entirely separate from every other topic of controversy. This opinion I still retain." Adams to Joseph Hall, December 11, 1807, Writings ed. Ford., III, 165.

> for the past, & security for the future, that is to say, an end of impressment.[39]

He knew that the nation was backing the government: "They have often enough, God knows, given us cause of war before; but it has been on points which would not have united the nation. But now they have touched a chord which vibrates in every heart. Now then is the time to settle the old and the new."[40] He was also gratified to see the Federalists supporting him, although he knew that this would not be permanent once the excitement died away:

> Never since the battle of Lexington have I seen this country in such a state of exasperation as at present, and even that did not produce such unanimity. The federalists themselves coalesce with us as to the object, tho' they will return to their trade of censuring every measure taken to obtain it.[41]

In another letter he added: "the moment we begin to act in the very line they have joined in approving, all will be wrong, and every act the reverse of what it should have been."[42]

By the beginning of August, the excitement had subsided somewhat from what it had been a month earlier. Since it would be several months until the Revenge returned from Europe and

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[39]Jefferson to John Page, July 17, 1807, Writings, ed. Ford, IX, 117.

[40]Jefferson to William Duane, July 20, 1807, Ibid., 119.

[41]Jefferson to Dupont de Nemours, July 14, 1807, Ibid., 110

[42]Jefferson to Thomas Cooper, July 9, 1807, Ibid., 102.

until Congress convened, Jefferson thought it would be prudent to withdraw from Washington to his estate at Monticello to excape the summer heat in Washington. In the beginning he maintained a regular daily mail between Norfolk and Monticello in addition to that with Washington in order to keep up on the latest developments.[43] General tranquillity in the area, however, induced him to drop the daily mail to the south at the end of the month.[44] Jefferson feared lest the continuance of this daily mail add too much to governmental expenditures. He was apprehensive, however, of the possible criticism of those who might say that by his absence from Washington he was being negligent of his duties. Furthermore, he wrote: "I am aware that in the present crisis some incident might turn up where a day's delay might infinitely overweigh a month's expense of the daily post."[45] But he was willing to take the risk.

As the Congressional session approached, no word had been received from England via the Revenge. Although by this time the public clamor against Great Britain had died down considerably, Jefferson was still hoping for concrete results regarding impressments. Writing to Thomas Paine, he expressed his

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[43]Jefferson to Governor Cabell, July 31, 1807, Writings, ed. Washington, V, 147-148.

[44]Jefferson to Madison, August 30, 1807, Ibid., 179.

[45]Jefferson to Madison, September 1, 1807, Ibid., 181.

hopes: "In the meantime [until the Revenge returns], all the little circumstances coming to our knowledge are unfavorable to our wishes for peace. If they would but settle the question of impressment from our bottoms, I should be well contented to drop all attempts at a tresty."[46]

Foreign Minister Canning, however, was not to be intimidated by the Americans. Monroe told Madison that perhaps a more conciliatory attitude might succeed in making the British government and people favorable to American demands. In his meeting with Canning on September 6, Monroe reported that the British Minister complained that:

> By the proclamation of the President, & the seizure & detention of some men who had landed on the coast to procure water, the govt. seemed to have taken redress into its own hands; He complained of the difference which he said we had made between France & England, by restoring deserters to the vessels of the former, & not to the latter;[47] he insisted that the late aggression was an act which differed in all respects from the former practice [impressment] & ought not to be connected with it, as it was shewed a disposition to make a particular incident in which they were in the wrong, instrumental to an accommodation in a case where his govt. held a different doctrine.[48]

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[46]Jefferson to Paine, October 9, 1807, Ibid., 201.

[47]This charge was well founded, for when some French sailors deserted from the two frigates docked at Annapolis for repairs (cf. Chapter I), the port and state authorities forced the return of these men to their ships. Some British deserters were also returned, however, at the request of the British Consuls in the United States (cf. Capt. Stephen Decatur to Consul John Hamilton, March 8, 1807, Western World, Thursday, December 17, 1807).

[48]Monroe to Madison, October 10, 1807, The Writings

Canning continually tried to make Monroe separate the two issues, but the American Minister adhered to his instructions. In despair, the British Foreign Minister wrote: "There can be no advantage in pursuing a discussion which you are not authorized to conclude; and I shall have only to regret that the disposition of his Majesty to terminate that difference amicably and satisfactorily is for the present rendered unavailing."[49]

There can be no doubt that Canning and the British government sincerely wanted to settle the Chesapeake affair.[50] They were not willing, however, to relinquish the right of impressment, for they considered it more important to their national security than the termination of one individual act. To Americans the British seemed to persist in their hostile attitude. On October 16, 1807 the British Cabinet issued the King's Proclamation which recalled all British seamen from the service of foreign nations and commanded all British naval officers "to stop and made stay all natural-born British subjects in foreign service, and to seize them and take and bring

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of James Monroe, ed. Stanislaus M. Hamilton (7 vols.; New York: 1901), V, 11-12. More complete quotations from this letter can be found in Appendix IV.

[49] Canning to Monroe, September 29, 1807, quoted in Adams, History, IV, 48.

[50] Cf. Bradford Perkins, "George Canning . . . States," Am. Hist. Rev., Vol LXIII, No. 1 (October, 1957), 1-22. Also Anthony Steel, "Impressment in the Monroe-Pinkney Negotiation, 1806-1807," Am. Hist. Rev., Vol. LVII, No. 2 (January, 1952), 243-265. Also Burt, 247ff.

them away."[51] Another Order-in-Council was issued on November 11, declaring that any neutral vessel was subject to seizure and confiscation if it sailed to any European port excluded to British ships, unless it had previously stopped at a British port and acquired license.[52] Moreover, Admiral Berkeley was removed from his Halifax command and promoted to a higher station in the navy. As in the case of Captain Whitby in 1806, Berkeley's promotion appeared to the American government to be a deliberate affront. Thus, when the Revenge returned from Britain in December, the official reports from that country were not encouraging to the Administration. Jefferson's earlier policy of avoiding war with Britain was giving way to some definite measure against her; namely, the embargo, which was enacted at the end of December.

Before the Revenge returned Congress convened on October 26. By this time the war fever in Washington had subsided, and Jefferson reported that its members "are extremely disposed for peace: and as there is no doubt Great Britain will disavow the act of the Leopard, I am inclined to believe they will be more disposed to combat her practice of impressment by a non-importation law than by arms."[53] A few days later he added

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[51] Zimmerman, 148.

[52] Schachner, 847.

[53] Jefferson to Thomas M. Randolph, October 26, 1807, quoted in Schachner, 849-850.

"here we are pacifically inclined, if anything come [from Britain] which will permit us to follow our inclinations."[54] It seems that the President's policy of delaying the session of Congress had proved successful, for the mood of the country had becomed more restrained.

Jefferson's own policy, however, was more bellicose towards Great Britain than before. Although occasionally contradicting himself in his letters, his general trend is to demand more. His opening message to Congress, in addition to reviewing the entire Chesapeake attack and the means taken by the Administration since then, added that "on this outrage no commenteries are necessary. Its character has been pronounced by the indignant voice of our citizens with an emphasis and unanimity never exceeded."[55] This address was so warlike that Gallatin commented upon reading the first draft: "in stead of being written in in the style of the proclamation, which has been almost universally approved at home and abroad, the message appears to me to be rather in the shape of a manifesto issued against Great Britain on the eve of a war, than such as the existing undecided state of affairs seems to require."[56] He advised Jefferson not

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[54]Jefferson to Cabell, November 1, 1807, Writings, ed. Ford, IX, 97.

[55]"Seventh Annual Message to Congress," October 27, 1807, Journal of the House of Representatives, Vol VI, 10th Congress: 1807-1809 (Washington: 1826), p. 8.

[56]Gallatin to Jefferson, October 21, 1807, Writings of

to prejudice the mind of Congress through the speech; and he recommended a milder mode of expression in several places.[57] Many of these suggestions were accepted by the President and incorporated into the speech before it was read to Congress. The final version still remained forceful enough to force London to take note.

Jefferson was optimistic regarding the defensive legislation which he hoped Congress would enact. He wrote to Governor Cabell: "Whether we have peace or war, I think the present Legislature will authorize a complete system of defensive works, on such a scale as they think we ought to adopt."[58] Despite this optimism regarding Congress and defense appropriations, the President was still hesitant about augmenting the sea-going navy, thus maintaining his policy of a pure defensive military

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Gallatin, I, 358-364.

[57]". . . So long as any hope, however, weak, remains of an honorable settlement, it is desirable that no act of the Executive may, by widening the breach, or unnecessarily hurting the pride of Britain, have a tendency to defeat it. Unless, therefore, some useful and important object can be obtained by the message in its present form, I would wish its general color and expression to be softened; nothing inserted but what is necessary for assisting Congress in their first deliberations, and to account for their early meeting no recapitulation of former outrages further than as connected with the unratified treaty; no expression of a belief that war is highly probable, which seems either to presuppose absolute injustice on the part of Great Britain, or to acknowledge high pretensions on our own. . . ." Ibid.

[58]Jefferson to Cabell, November 1, 1807, Writings, ed. Ford, IX, 97.

establishment.[59]

Congress expressed its own condemnation of the Chesapeake attack. John Randolph exclaimed in the House:

> We have received a blow, and it was out of the question to enter into the merits of the disputes which had produced it. To Great Britain the door of discussion was shut, was barred, and she must knock with the light tap of solicitation before it could be opened to her.[60]

On November 5 a motion was made in the House by Josiah Quincy to appoint a committee to investigate the President's report on the attack. In the debate which followed someone remarked that, since there has been so many false or semi-false reports regarding different aspects of the attack which had been printed in the newspapers and pamphlets, it was now the occasion to get these facts straight. "The House is at present calm and tranquil, and this is therefore a proper time to undertake an investigation of the facts required."[61] A Committee was appointed and its report to the assembled House on November 17 read in part:

> From the foregoing facts, it appears to your committee that the outrage committed on the frigate Chesapeake has been stamped with circumstances of indignity and insult of which there is scarcely to be found a parallel in the history of civilized nations, and requires only sanction of the Government under color of whose authority

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[59] Harold Sprout, The Rise of American Naval Power (Princeton: 1939), p. 61.

[60] quoted in Bruce, John Randolph, I, 315.

[61] National Intelligencer, Monday, November 9, 1807.

it was perpetrated to make it just cause of, if not an irrestistible call for instant and severe action.[62]

When the Revenge returned from Britain, it carried the news that the Cabinet had decided to send a special mission to Washington in the person of George Henry Rose, a Cabinet member. Previous to Rose's arrival, no information of his instructions was released to the United States government. Canning had given Monroe no hints as to the extent of his power to deal with reparation or impressment.[63] When the mission arrived in Washington in January, Rose communicated to the government that he had been instructed to keep the "Chesapeake affair" separate from the impressment issue, which, in effect, nullified any positive result unless the British or Americans changed their policies. By this time Jefferson and Madison hinted at their willingness to separate the two issues; but it was too late. Rose, in addition, was instructed to demand that, before any settlement could be negotiated, the President's Proclamation of July 2, 1807 be withdrawn.[64] Furthermore, Rose refused to reveal what reparation he was empowered to offer for the attack until the Americans gave better assurance of accepting the British demands. When Madison claimed that actual reparation, or at least promises of it, had to be forthcoming

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[62] American State Papers, III, 7.

[63] Monroe to Madison, October 10, 1807, Writings, V, 9.

[64] Rose to Madison, January 26, 1808, Ibid., 213-214.

before the withdrawal of the Proclamation, Rose refused and his mission sailed in March for Britain without accomplishing anything. Rose wrote confidently to Canning that America's desire for war, so violent six months earlier, was practically defunct now: "The premature fury . . . was too violent to last, the feelings excited are deadened, and it would be difficult to move the Nation to War."[65]

Thus, the negotiations which had dragged out came to nothing, mainly because the vexing issue of impressment was involved. By the time that the Rose Mission arrived in Washington, the Embargo had already been passed, and another plase in Anglo-American relations had begun. It is unfortunate that the American government lost the opportunity it had to demand just retribution after the attack. Instead of taking the offensive towards Britain, Jefferson and his Administration seemed to think that she would voluntarily offer reparation without any pointed demands by the United States. In addition, the delay in sending specific instructions to Monroe gave the British time to formulate their own response while the American Minister remained at the mercy of the British Cabinet for almost a month. Furthermore, the linking of the specific act with the insoluble issue of impressment showed that the United States was more interested in the latter, and that it was willing to

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[65] Rose to Canning, February 18, 1808, quoted in Perkins, "George Canning . . . and the United States." 8.

offer the former as a scapegoat to procure concessions, all of which was not likely to succeed while the war lasted. Finally, the Jeffersonian government failed to use successfully the weight of the pro-government public opinion in dealing with Britain. Since the United States had a justifiable grievance against that country, the war spirit was fanned by Jeffersonian and Federalist newspapers alike. Had the government really taken full advantage of public opinion, and had it really wanted to show Great Britain that it meant business, it might have levied greater appropriations for the military establishment in order to back up the forceful language of Madison's instructions. Moreover, the American government knew that Britain would not relinquish the practice of impressing sailors except for a very grave reason. Thus, the Administration adopted a defensive and conciliatory attitude only after it had demonstrated its inability to take the offensive. This resulted in a more or less pessimistic attitude, which was reflected in this letter of Jefferson:

> I didn't suppose that it [the attack] was by authority from their government, I now more and more suspect it, and of course, that they will not give the reparation for the past and the security for the future, which alone may prevent war. The new depredations committed on us, with this attack on the Chesapeake and their calling on Portugal to declare on the one side or the other, if true, prove they have cooly calculated it will be to their benefit to have everything on the ocean fair prize, and to support their navy by plundering all mankind. This is the doctrine of "war in disguise," and I expect they are going to adopt it. It is really mortifying that we should be forced to wish success to Bonapart and look

to his victories as our salvation.[60]

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The "Chesapeake-Leopard affair" was one of the most significant events of the Jeffersonian era. The nation once more realized that antipathy towards Great Britain was not yet dead even a generation after the Revolutionary War. From all over the land there were reports of mass demonstrations and public meetings protesting the outrage and demanding some kind of action against the offenders. Yet, the hostile attitude of the British fleet in the Chesapeake served as a continual reminder to Americans that they were still young and weak -- and rash, as can be seen from a statement in one newspaper: "in three to six months we reduce them to terms."[67] The attack served to unite the nation, albeit a short unity. All factions supported the Administration and promised to follow whatever course it should take.

But the government was not as affected by public opinion as might be expected. The nation wanted war in July but Jefferson did not. Seeing that negotiations were becoming entangled over impressment, the President veered to the idea of taking the offensive against Britain. "But by this time the popular

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[66]Jefferson to Colonel John Taylor, August 1, 1807, Writings, ed. Washington, V, 149.

[67]Aurora, Monday, June 29, 1807.

spirit had evaporated, the orators had fallen silent."[68] Thus, the Embargo was the only long-range defense offered, and this proved far more harmful to America than to the party she hoped to hurt. In the final analysis, much sentiment, writing, and military flourish were expressed over the attack on the Chesapeake; yet, in the end, all came to nothing except that Americans proved to themselves that they still had patriotism.

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[68] Perkins, 149.

Appendix I

Chesapeake Proclamation[1]

(July 2, 1807)

During the wars which for some time have unhappily prevailed among the powers of Europe, the US. of America, firm in their principles of peace, have endeavored by justice, by a regular discharge of all their national & social duties, and by every friendly office their situation admitted, to maintain, with all the belligerents, their accustomed relations of friendship, hospitality & commercial intercourse. Taking no part in the questions which animate these powers against each other, nor permitting themselves to entertain a wish, but for the restoration of general peace, they have observed with good faith the neutrality they assumed, & they believe that no instance of departure from it's duties can be justly imputed to them by any nation. A free use of their harbours and waters, the means of refitting & of refreshment, of succour to their sick & suffering, have, at all times, and on equal principles been extended to all: and this too while the officers of one of the belligerents received among us have been in a continued course of insubordination to the laws, of violence to the persons, & of trespasses on the property of our citizens. These abuses of the laws of hospitality have become habitual to the Commanders of the British armed vessels hovering on our coasts & frequenting our harbours; they have been the subject of repeated representations to their government; assurances have been given that proper orders should restrain them within the limit of the rights, & of the respect belonging to a friendly nation; but these orders & assurances have been without effect; nor has a single instance of punishment for past wrongs taken place. Even the murder of a citizen, peaceably pursuing his occupations within the limits of our jurisdiction. And at length a deed, transcending all we have suffered, brings the public sensibility to a serious crisis, and forbearance to a necessary pause. A frigate of the US.

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[1]Jefferson, Writings, ed. Ford, IX, 89-99.

trusting to a state of peace and leaving her harbor on a distant service, has been surprised and attacked by a British vessel of superior force, one of a squadron then lying in our waters to cover the transaction, & has been disabled from service with the loss of a number of men killed & wounded. This enormity was not only without provocation or justifiable cause; but was commited with the avowed purpose of taking by force from a ship of war of the US. a part of her crew: that no circumstance might be wanting to make its character, the commander was apprised that the seamen thus forcibly [impressed] were native citizens of the US. His purpose effected he returned to anchor with his squadron within our jurisdiction. Hospitality under such circumstances ceases to be a duty: and a continuance of it with such uncountrolled [sic] abuses would tend only, by multiplying injuries, & irritations, to bring on a rupture equally opposed to the interests of both nations, as to assurances of the most friendly dispositions on the part of the British government in the midst of which this outrage has been committed. The subject cannot but present itself to that government, & strengthen the motives to an honorable reparations of the wrong which has been done, and that effectual controul [sic], of its naval commanders which alone can justify the government of the US. in the exercise of those hospitalities it is now constrained to discontinue.

IN CONSIDERATION of these circumstances, and of the right of every nation to regulate it's own police, to provide for it's peace & for the safety of it's citizens, & consequently to refuse the admission of armed vessels into it's harbors or waters, either in such numbers, or of such descriptions, as are inconsistent with these, or with the maintenance of the authority of the laws, I have thought proper in pursuance of the authority specially given by law to issue this my PROCLAMATION, hereby requiring all armed vessels bearing commissions under the government of Great Britain now within the harbors or waters of the US. immediately & without delay to depart from the same: and interdicting the entrance of all the said harbors & waters to the said armed vessels, & to all others bearing commissions under the authority of the British government.

And if the sd vessels or any of them, shall fail to depart as aforesaid, or if they or any others, so interdicted, shall hereafter enter the harbors or waters aforesaid, I do in that case forbid all intercourse with either or any of them, their officers or crews, & do prohibit all supplies & aid from being furnished to them or any of them.

And I do declare & make known that if any person from, or within, the jurisdictional limits of the US. shall afford any

aid to any such vessel contrary to the prohibition contained in this proclamation, either in repairing any such vessel, or in furnishing her, her officers or crew, with supplies of any kind, or in any manner whatever, or if any pilot shall assist in navigating any of the said armed vessels, unless it be for the purpose of carrying them in the first instance, beyond the limits & jurisdiction of the US. or unless it be in the cause of a vessel forced by distress, or charged with public dispatches as hereinafter provided for, such persons shall, on conviction, suffer all the pains and penalties by the laws provided for such offences.

And I do hereby enjoin & require all persons bearing office civil or military within or under the authority of the US., and all others, citizens or inhabitants thereof, or being within the same, with vigilance and promptitude to exert their respective authorities & do be aiding & assisting to the carrying this Proclamation & every part thereof into full effect.

Provided nevertheless that if any such vessel shall be forced intothe harbors or waters of the US. by distress, by the dangers of the sea, or the pursuit of an enemy, or shall enter them charged with dispatches or business from their government, or shall be a public packet for the conveyance of letters and dispatches, the commanding officer, immediately reporting his vessel to the collector of the district, stating the object or causes of entering the sd harbors or waters, & conforming himself to the regulations in that case prescribed under the authority of the laws, shall be allowed to benefit of such regulations respecting repairs, supplies, stay, intercourse, & departure as shall be permitted under the same authority.

In testimony whereof I have caused the seal of the US. to be affixed to these presents & sign the same.

Given at the city of Washington the 2d day of July in the year of our Lord 1807 and of the sovereignty & independence of the US. the 31st.

TH. JEFFERSON

Appendix II

Correspondence between Commodore Douglas and Mayor Lee

His Majesty's ship Bellona,
Hampton Roads; July 3, 1807

Richard Evers Lee

Sir,

I beg leave to represent to you, that having observed in your newspapers, a resolution made by a committee, on the 29th ult. prohibiting any communication between his Britannic Majesty's Consul at Norfolk, and his ships lying at anchor in Lynhaven Bay--and this being a measure extremely hostile, not only in depriving the British Consul from discharging the duties of his office, but at the same time preventing me from obtaining that information SO absolutely necessary for his Majesty's service. I am therefore determined if this infringement is not immediately annulled, to prohibit every vessel either bound in, or out of Norfolk, to proceed to their destination until I know the pleasure of my government or the commander in chief's on this station. --You must be perfectly aware, that the British flag never has nor never will be insulted with impunity. --You must be also aware, that it has been, and still is in my power to obstruct the whole trade of the Chesapeake since the late circumstance, which I desisted from, trusting that general unanimity would be restored. Respecting the circumstances of the deserters lately apprehended from the U. States' frigate Chesapeake, in my opinion, must be decided between the two governments ALONE. It therefore rests with the inhabitants Neither to engage in war, or remain on terms of peace. Agreeable to my intentions, I have proceeded to Hampton Roads with the squadron under my command to await your answer, which, I trust, you will favor me with, without delay. . . .[1]

J.E. Douglas

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[1] Western World, Thursday, July 30, 1807.

Norfolk, July 4

J.E. Douglas
H.M.S. Bellona

SIR,

I have received your menacing letter of yesterday this moment. The day on which this answer is written, ought itself to suffice, to prove to the subjects of your sovereign, that the American people are not to be intimidated by menace, or induced to adopt any measures, except by a sense of their perfect propriety. --Seduced by a false shew of security, they may be sometimes surprised, and slaughtered while unprepared to resist a supposed friend. That delusive security however is now passed over. The late occurrence has taught us to confide our safety no longer to anything but our own force. We do not seek hostility, nor shall we avoid it. We are prepared for the worst which you may attempt, and will do whensoever your efforts shall render any act of ours necessary. . . .

In answer of that part [of your letter]. . . which is particularly addressed to me, as the first judicial officer of this borough, I have but to say, that you must be aware, that the judiciary of no country possesses any other power, than those conferred upon them by the laws.

The same channels through which you have derived the intelligence stated by yourself, must also have announced to you, that the act of which you complain, is an act of individuals, and not of the government. If this act be very wrong and illegal, the judiciary of this country, whenever the case is properly brought before it, will take care to do its duty. At present they have no judicial information of any outrage on their laws, and therefore cannot act.

If you act, sir, please consider this act of individuals as a measure "extremely hostile," and shall commence hostility, without waiting the decision of our two governments, (although you yourself acknowledge that it properly belongs to them alone to decide,) the inhabitants of Norfolk will conform to your example and protest themselves against any lawless aggression which may be made upon the persons or property. They therefore leave it with you "either to engage in a war or remain in terms of peace," until the pleasure of our respective gov'ts shall be known. . . .

RICHARD EVERS LEE
Mayor of the boro' of Norfolk

Appendix III

Diplomatic Instruction to James Monroe[1]

Department of State, July 6th

Sir,

. . . 1st. This enormity is not a subject for discussion. The immunity of a national ship of War from every species and purpose of search on the high seas, has never been contested by any nation. Great Britain would be second to none, in resenting such a violation of her rights, and such an insult to her flag. . . .

But the present case is marked by circumstances which give it a perculiar die. The seamen taken from the Chesapeake had been ascertained to be native Citizens of the United States; and this fact was made known to the bearer of the demand, and doubtless communicated by him to his commander, previous to the commencement of the attack. It is a fact also, affirmed by two of the men, with every appearance of truth, that they had been impressed from American vessels into the British frigate from which they escaped, and by the third, that having been impressed from a British merchant ship, he had accepted the recruiting bounty under that duress, and with a view to alleviate his situation, till he could escape to his own country; and that the attack was made during a period of negotiation, and in the midst of friendly assurances from the British Government. . . .

With this demand you are charged by the President. The tenor of his proclamation will be your guide, in reminding the British Government of the uniform proofs given by the United States of their disposition to maintain, faithfully, every friendly relation; of the multiplies infractions of their rights by British Naval Commanders on our coasts and in our harbours; of the inefficacy of reiterated appeals to the justice

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[1] J. M. Writings, Hunt ed., VII, 454ff.

and friendship of that Government; and of the moderation on the part of the United States, which reiterated disappointments had not extinguished; till at length no alternative is left but a voluntary satisfaction on the part of Great Britain, or a resort to means depending on the United States alone. . . .

A formal disavowal of the deed, and restoration of the four seamen to the ship from which they were taken are things of course indispensable. As a security for the future, an entire abolition of impressments from vessels under the flag of the United States, if not already arranged, is also to make an indispensable part of the satisfaction. The abolition must be on terms compatible with the instructions to yourself and Mr. Pinkney on this subject; and if possible without the authorized rejection from the service of the United States of British seamen who have not been two years in it. Should it be impossible to avoid this concession on the part of the United States, it ought to be of itself, as being more than a reasonable price for future security, to extend the reparation due for the past. . . .

Should it be alleged as a ground for declining or diminishing the satisfaction in this case, that the United States have themselves taken it, by the interdict contained in the proclamation, the answer will be obvious. The interdict is a measure not of reparation, but of precaution; and would besides be amply justified by occurrences prior to the extraordinary outrage in question. . . .

The President has an evident right to expect from the British Government, not only an ample reparation to the United States in this case, but that it will be decided without difficulty or delay. Should this expectation fail, and above all, should reparation be refused, it will be incumbent on you to take the proper measures for hastening home, according to the degree of urgency, all American vessels remaining in British ports; using for the purpose the mode least likely to awaken the attention of the British Government. Where there may be no ground to distrust the prudence or fidelity of Consuls, they will probably be found the fittest vehicles for your intimations.

Proceeding on these considerations, the President has inferred, that the justice and honor of the British Government will readily make the atonement required; and in that expectation, he has forborne an immediate call of Congress, notwithstanding the strong wish that has been manifested by many, that measures depending on their authority, should without delay be adopted. The motives to this forbearance have, at the same

time, been strengthened by the policy of avoiding a course, which might stimulate the British cruizers in this quarter to arrest our ships and seamen now arriving and shortly expected in great numbers, from all quarters. It is probably, however, that the Legislature will be convened in time to receive the answer of the British Government on the subject of this dispatch; or even sooner if the conduct of the British squadron here, or other occurrences, should require immediate measures beyond the authority of the Executive. . . .

JAMES MADISON

Appendix IV

Letter from Monroe to Madison, October 10, 1807[1]

To the Secretary of State
London, October 10, 1807

Sir

. . . What the powers of that Minister [Rose Mission] will be; whether it is intended to confine them to the sole object of reparation for the special outrage, or to extend them, in case the proposed separation of that from the general topick of impressment is admitted, to the latter object, it is not in my power to state. Mr. Canning has given me no information on that head in conference, & his note is not explicit on it. It states that the Minister who shall be sent to the U States to bring the dispute relative to the attack on the Chesapeake to a conclusion, shall not be empowered to entertain, as connected with that subject, any proposition respecting the search of merchant vessels. . . .

In the discharge of this delicate & important trust I thought that I shod. be able more effectually to promote its object by opening the subject to Mr. Canning in conference than by an official note. As the attitude taken by my govt, which was evidently supported by the whole nation, was of a very impressive nature, it seemed probable from the feverish state of the publick mind here in regard to us, that a tone of conciliation which should not weaken the pressure, would be more likely to succeed in obtaining the reparation desired, than an official and peremptory demand. Under this impression I had several conferences with Mr. Canning, the substance of which in each I will endeavor to state with precision. . . .

The first . . . was on the 3d. of Sept., as soon as it could be obtained after the rect. of your letter of July 6th. which was on the 30th. of Augt. I informed Mr. Canning that as I wished the discussion in which we were about to enter to terminate amicably & honorably to both our govts. I had asked the

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[1] The Writings of James Monroe, ed. Hamilton, V, 8-17.

interview for the purpose of promoting that desired end: that by explaining to each other fully, in friendly conference, the views of our respective govts. relative to the late aggression, I was persuaded that it would be more easy for us to arrange the business to the satisfaction of both parties, than by any other mode which we could pursue. . . . I then stated in detail, in explicit terms, the reparation which my govt. thought the U States entitled to & expected that they should receive, for the injury and indignity offered by the late aggression: that the men taken from the frigate shod. be restored to it; that the officers who had committed the aggression shod. be exemplarily punished; that the practice of impressment from merchant vessels shod. be suppressed; and that the reparation consisting of those several acts shod. be announced to our govt. through the medium of a spedial mission, a solemnity which the extraordinary nature of the aggression particularly required. . . .

He said that by the proclamation of the President, & the seizure & detention of some men who had landed on the coast to procure water, the govt. seemed to have taken redress into its own hands; He complained of the difference which he said we had made between France & England, by restoring deserters to the vessels of the former, & not to the latter; he insisted that the late aggression was an act which differed in all respects from the former practice & ought not to be connected with it, as it shewed a disposition to make a particular incident in which they were in the wrong, instrumental to an accommodation in a case where his govt. held a different doctrine. I urged in reply that the proclamation could not be considered as an act of hostility or retaliation for injuries, tho' the aggression had provoked and would have justified even the strongest act of reprisal, but as a mere measure of police which had become indispensable for the preservation of order within the limits of the U States; I informed him that the men who had landed from the squadron in defiance of the proclamation, & of the law on which it was founded, had been restored to it: that with respect for the other point, the difference. . . .

[At the end of the conference]. . . Mr. Canning still adhered to his doctrine of having nothing to do with impressment from merchant vessels, till the affair of the Chesapeake was disposed of, after which he professed his willingness to proceed to the other object. . . .

. . . My note to Mr. Canning was founded on the result of this conference. As it had not been in my power to come to any agreement with him on the great subject of impressment from merchant vessels, I considered it my duty to combine it, with the affair of the Chesapeake in the paper which I presented to

him to claim reparation for the outrage. I thought it best however to omit the other acts of which it was desired that the reparation shod. consist. It seemed probable that a specification of each circumstance, in the note, would increase the indisposition of the Ministry to accommodate, & give it support with the nation, in a complete rejection of the demand. I expressed myself therefore in regard to the other acts in general and conciliatory terms, but with all the force in my power. . . . To prevent it [a misinterpretation of this note by Canning] I obtained an interview . . . immediately after my note was presented in which, after reminding him of the omision alluded to, the motive to which I presumed he could not mistake, I added that my object in asking the interview had been to repeat to him informally, which I had stated in the former one, the other acts of which my govt. expected that the reparation shod. consist. . . .

Mr. Canning's answer to my note was delayed more than a fortnight. Having refused to treat the subjects in connection, & intimated in plain terms that if I was not authorized to separate them, it would be useless to prolong the discussion, I thought it improper to press it. My reply was equally explicit, so that with it, the negotiation ended. The measure which he announced, as being determined on by the King, in case I should not agree to the separation is completely the act of the govt. You will observe that it is announced in a form which precludes in a great degree the idea of its being adopted at my suggestion, as an act of reparation, and in a tone of decision which seemed equally to preclude my holding any communication with him on it.

JAMES MONROE

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APPROVAL SHEET

The thesis submitted by Mr. Paul J. Lammermeier, S.J. has been read and approved by the director of the thesis. Furthermore, the final copies have been examined by the director and the signature which appears below verifies the fact that any necessary changes have been incorporated, and that the thesis is now given final approval with reference to content and form.

The thesis is therefore accepted in partial fulfillment of the requirements for the degree of Master of Arts.

November 4, 1967
Date

Charles J. Metzger, S.J.
Signature of Adviser